

**ACTS  
OF THE  
GENERAL ASSEMBLY**



**2022 SPECIAL SESSION I**



**ACTS**

**OF THE**

**GENERAL ASSEMBLY**

**OF THE**

**COMMONWEALTH OF VIRGINIA**

**2022 SPECIAL SESSION I**

**which met at the State Capitol, Richmond**

**Convened Monday, April 4, 2022**

**House of Delegates adjourned sine die Wednesday, September 7, 2022**

**Senate adjourned sine die Monday, December 11, 2023**

**VOLUME I**

**CHAPTERS 1-22**

**COMMONWEALTH OF VIRGINIA**  
**RICHMOND**  
**2022**

**Compiled by the Clerk's Office**

**The House of Delegates**

**G. Paul Nardo  
Clerk of the House of Delegates  
and  
Keeper of the Rolls of the Commonwealth**

**Jacqueline D. Scott  
Indexing and Enrolling Director**

**Indexing and Enrolling Assistant Clerks**

**Sarah A. Armistead**

**Jeannine B. Layell**

**Indexing and Enrolling Assistants**

**Emily M. Hanson  
Bruce E. Hoffman  
James D. Hutzler  
Simon J. Kang  
Melisa G. Milton**

**Chayton S. Mouzon  
Joyce D. Riley  
David J. Stephenson  
Francesca J. Ruivivar Victoria**

**in cooperation with the**

**Senate of Virginia,  
Division of Legislative Services,  
and  
Division of Legislative Automated Systems**

**TABLE OF CONTENTS**  
**2022 SPECIAL SESSION I**

CHAPTERS 1-22.....	1
CERTIFICATION OF THE 2022 SPECIAL SESSION I ACTS OF ASSEMBLY .....	1168
RESOLUTIONS OF THE GENERAL ASSEMBLY-2022 SPECIAL SESSION I	
House Joint Resolutions and House Resolutions.....	1169
Senate Resolutions.....	1278
APPENDIX	
Summary of 2022 Special Session I Legislation.....	1327
House and Senate Bills Approved with Chapter and Page Numbers .....	1328
Members of the House of Delegates.....	1329
Members of the Senate .....	1334
Senators and Delegates by Counties.....	1337
Senators and Delegates by Cities.....	1341
Counties and Cities--Land Area and Population .....	1343
Counties and Cities--Ranked by Population.....	1344
Table of Titles of the Code of Virginia .....	1345
INDEX.....	1348



**ACTS OF THE GENERAL ASSEMBLY**

**2022 SPECIAL SESSION I**

**CHAPTER 1**

An Act to amend and reenact Chapter 552 of the 2021 Acts of Assembly, Special Session I, as amended by Chapter 1 of the 2021 Acts of Assembly, Special Session II, which appropriated the public revenues and provided a portion of such revenues for the two years ending, respectively, on the thirtieth day of June, 2021, and the thirtieth day of June, 2022; and a BILL to amend and reenact § 58.1-301 and § 58.1-339.8 of the Code of Virginia.

[H 29]

Approved June 17, 2022

Be it enacted by the General Assembly of Virginia:

1. That Items 5, 6, 32, 34, 39, 57, 75, 83, 86, 92, 97, 111.10, 112, 113, 114, 120, 130, 137, 144, 145, 212, 268, 274, 277, 282, 288, 292, 299, 301, 304, 306, 312, 313, 315, 320, 322, 325, 326, 327, 349, 350, 351, 352, 353, 354, 356, 357, 359, 374, 376, 377, 401, 406, 411, 417, 425, 430, 434, 436, 445, 446, 447, 447.10, 448, 449, 450, 451, 452, 453, 474, 479, 479.20, § 2-0, C-4, C-22, C-22.20, C-66, C-68.50, C-69, C-70, C-71, § 3-1.01, § 3-2.03, § 3-5.03, § 3-5.06, § 4-8.03 and § 4-14.00 of Chapter 552 of the 2021 Acts of Assembly, Special Session I, as amended by Chapter 2 of the 2022 Acts of Assembly, Special Session II, be hereby amended and reenacted and that the cited chapter be further amended by adding Items C-22.30, C-25.10, C-53.50, C-61.80, C-61.90, C-69.60, C-76.20, and § 3-5.24.

2.§1. The following are hereby appropriated, for the current biennium, as set forth in succeeding parts, sections and items, for the purposes stated and for the years indicated:

A. The balances of appropriations made by previous acts of the General Assembly which are recorded as unexpended, as of the close of business on the last day of the previous biennium, on the final records of the State Comptroller; and

B. The public taxes and arrears of taxes, as well as moneys derived from all other sources, which shall come into the state treasury prior to the close of business on the last day of the current biennium. The term "moneys" means nontax revenues of all kinds, including but not limited to fees, licenses, services and contract charges, gifts, grants, and donations, and projected revenues derived from proposed legislation contingent upon General Assembly passage.

§ 2. Such balances, public taxes, arrears of taxes, and monies derived from all other sources as are not segregated by law to other funds, which funds are defined by the State Comptroller, pursuant to § 2.2-803, Code of Virginia, shall establish and constitute the general fund of the state treasury.

§ 3. The appropriations made in this act from the general fund are based upon the following:

	<b>First Year</b>	<b>Second Year</b>	<b>Total</b>
Unreserved Beginning Balance	\$2,874,058,799	\$0	<del>\$2,874,058,799</del>
		<i>\$3,832,170,867</i>	<i>\$6,706,229,666</i>
Additions to Balance	(\$1,278,580,333)	<del>\$29,850,000</del>	<del>(\$1,248,730,333)</del>
		<i>(\$2,370,994,370)</i>	<i>(\$3,649,574,703)</i>
Official Revenue Estimates	\$22,320,832,509	<del>\$22,899,142,814</del>	<del>\$45,219,975,323</del>
		<i>\$26,998,300,000</i>	<i>\$49,319,132,509</i>
Transfer	\$695,527,155	<del>\$682,417,349</del>	<del>\$1,377,944,504</del>
		<i>\$803,941,844</i>	<i>\$1,499,468,999</i>
Total General Fund Resources Available for			
Appropriation	\$24,611,838,130	<del>\$23,611,410,163</del>	<del>\$48,223,248,293</del>
		<i>\$29,263,418,341</i>	<i>\$53,875,256,471</i>

The appropriations made in this act from nongeneral fund revenues are based upon the following:

	First Year	Second Year	Total
Balance, June 30, 2020	\$6,915,611,972	\$0	\$6,915,611,972
Official Revenue Estimates	\$39,150,326,908	<del>\$40,085,094,957</del>	<del>\$79,235,421,865</del>
		<i>\$52,448,131,389</i>	<i>\$91,598,458,297</i>
Lottery Proceeds Fund	\$708,231,123	<del>-\$690,903,334</del>	<del>\$1,399,134,457</del>
		<i>\$843,361,811</i>	<i>\$1,551,592,934</i>
Internal Service Fund	\$2,127,455,883	\$2,293,917,698	\$4,421,373,581
Bond Proceeds	\$2,729,883,162	\$244,775,137	\$2,974,658,299

Total Nongeneral Fund Revenues Available for			
Appropriation	\$51,631,509,048	<del>\$43,314,691,126</del>	\$94,946,200,174
		\$55,830,186,035	\$107,461,695,083
<b>TOTAL PROJECTED REVENUES</b>	\$76,243,347,178	\$66,926,101,289	\$143,169,448,467
		\$85,093,604,376	\$161,336,951,554

§ 4. Nongeneral fund revenues which are not otherwise segregated pursuant to this act shall be segregated in accordance with the acts respectively establishing them.

§ 5. The sums herein appropriated are appropriated from the fund sources designated in the respective items of this act.

§ 6. When used in this act the term:

A. "Current biennium" means the period from the first day of July two thousand twenty, through the thirtieth day of June two thousand twenty-two, inclusive.

B. "Previous biennium" means the period from the first day of July two thousand eighteen, through the thirtieth day of June two thousand twenty, inclusive.

C. "Next biennium" means the period from the first day of July two thousand twenty-two, through the thirtieth day of June two thousand twenty-four, inclusive.

D. "State agency" means a court, department, institution, office, board, council or other unit of state government located in the legislative, judicial, or executive departments or group of independent agencies, or central appropriations, as shown in this act, and which is designated in this act by title and a three-digit agency code.

E. "Nonstate agency" means an organization or entity as defined in § 2.2-1505 C, Code of Virginia.

F. "Authority" sets forth the general enabling statute, either state or federal, for the operation of the program for which appropriations are shown.

G. "Discretionary" means there is no continuing statutory authority which infers or requires state funding for programs for which the appropriations are shown.

H. "Appropriation" shall include both the funds authorized for expenditure and the corresponding level of full-time equivalent employment.

I. "Sum sufficient" identifies an appropriation for which the Governor is authorized to exceed the amount shown in the Appropriation Act if required to carry out the purpose for which the appropriation is made.

J. "Item Details" indicates that, except as provided in § 6 H above, the numbers shown under the columns labeled Item Details are for information reference only.

K. Unless otherwise defined, terms used in this act dealing with budgeting, planning and related management actions are defined in the instructions for preparation of the Executive Budget.

§ 7. The total appropriations from all sources in this act have been allocated as follows:

	<b>BIENNIUM 2020-22</b>		
	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Total</b>
OPERATING EXPENSES	\$47,976,459,742	\$90,734,188,991	\$138,710,648,733
	\$48,522,087,143	\$102,137,540,860	\$150,659,628,003
LEGISLATIVE DEPARTMENT	\$214,240,000	\$8,050,998	\$222,290,998
	\$215,540,158	\$8,316,321	\$223,856,479
JUDICIAL DEPARTMENT	<del>\$1,072,499,822</del>	\$74,735,744	\$1,147,235,566
	\$1,072,999,822		\$1,147,735,566
EXECUTIVE DEPARTMENT	\$46,684,457,578	\$88,539,697,747	<del>\$135,224,155,325</del>
	\$47,228,284,821	\$99,942,784,293	\$147,171,069,114
INDEPENDENT AGENCIES	\$5,262,342	\$2,111,704,502	\$2,116,966,844
STATE GRANTS TO NONSTATE AGENCIES	\$0	\$0	\$0



CAPITAL OUTLAY			
EXPENSES	<del>-\$238,682,850</del>	\$3,602,113,539	\$3,840,796,389
	\$620,118,850	\$3,608,260,120	\$4,228,378,970
TOTAL	\$48,215,142,592	<del>-\$94,336,302,530</del>	\$142,551,455,122
	\$49,142,205,993	\$105,745,800,980	\$154,888,006,973

§ 8. This chapter shall be known and may be cited as the "2022 Amendments to the 2021 Appropriation Act."

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**PART 1: OPERATING EXPENSES**

**LEGISLATIVE DEPARTMENT**

- 1. Not set out.
- 2. Not set out.
- 3. Not set out.
- 4. Not set out.

**§ 1-1. DIVISION OF LEGISLATIVE AUTOMATED SYSTEMS (109)**

5.	Information Technology Development and Operations (82000).....			\$7,131,967	<del>\$5,916,457</del> \$7,116,615
	Computer Operations Services (82001).....	\$7,131,967	<del>\$5,916,457</del> \$7,116,615		
	Fund Sources: General.....	\$6,844,298	<del>\$5,628,788</del> \$6,828,946		
	Special.....	\$287,669	\$287,669		

Authority: Title 30, Chapter 3.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Automated Systems, \$173,040 from July 1, 2020 to June 9, 2021 and \$181,692 from June 10, 2021 to June 30, 2022.

B. Included in this appropriation is funding sufficient for the ongoing replacement of a legacy legislative bill tracking system. The expenditure of these funds is contingent on the Director of the Division of Legislative Automated Systems developing a detailed implementation plan and submitting the plan to the Committee on Joint Rules for its approval. Any procurement of a replacement legislative bill tracking system shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia and the contract review provisions of § 2.2-2012. The plan may propose to procure a replacement legislative bill tracking system using (i) a request for information or a request for proposal, singly or jointly or in any combination thereof, (ii) such other industry recognized procurement method for procuring a management information system, or (iii) such other procurement method that comports with the best interests of the Commonwealth in the determination of the Director.

C. Out of the amounts included in this item, \$516,650 the first year and \$201,140 the second year from the general fund is provided to complete the replacement of a legacy legislative bill tracking system.

D. Out of the amounts included in this item, \$950,000 the first year and \$50,000 the second year from the general fund is provided for software, security, and infrastructure upgrades for the Division of Legislative Automated Systems.

E. Out of the amounts included in this item, \$1,200,158 the second year from the general fund is provided for information systems and operational needs for the Division of Legislative Automated Systems.

Total for Division of Legislative Automated Systems.				<b>\$7,131,967</b>	<del>\$5,916,457</del> <b>\$7,116,615</b>
General Fund Positions.....	19.00	<del>19.00</del>	21.00		
Position Level.....	19.00	<del>19.00</del>	21.00		

ITEM 5.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund Sources: General.....	\$6,844,298	\$5,628,788		
		\$6,828,946		
Special.....	\$287,669	\$287,669		

**§ 1-2. DIVISION OF LEGISLATIVE SERVICES (107)**

6.	Legislative Research and Analysis (78400).....			\$7,191,641	\$7,941,641
	Bill Drafting and Preparation (78401).....	\$7,191,641	<del>\$7,941,641</del>		<del>\$8,206,964</del>
			\$8,206,964		
	Fund Sources: General.....	\$7,171,608	\$7,921,608		
	Special.....	\$20,033	\$20,033		
	<i>Dedicated Special Revenue</i> .....	\$0	\$265,323		

Authority: Title 30, Chapter 2.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Services, \$157,374 from July 1, 2020 to June 9, 2021 and \$165,242 from June 10, 2021, to June 30, 2022.

B. Notwithstanding the salary set out in paragraph A. of this item, the Committee on Joint Rules may establish a salary range for the Director, Division of Legislative Services.

C. The Division of Legislative Services shall continue to provide administrative support to include payroll processing, accounting, and travel expense processing at no charge to the Chesapeake Bay Commission, the Joint Commission on Health Care, the Virginia Commission on Youth, and the Virginia State Crime Commission.

D. Out of this appropriation, \$250,000 the first year from the general fund is provided to support the work of the Senate Joint Resolution 47 (2014) Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century. The funding may be used to contract for expertise and assistance in its work to evaluate the community-based system of service delivery or other related topics as required by the work of the Joint Subcommittee. Any contractor hired shall evaluate the current system along with alternative delivery systems to provide the necessary information and assistance to the subcommittee in determining the most appropriate delivery system, or modifications to the current delivery system, that ensures access, quality, consistency, and accountability. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year.

E. Out of this appropriation, \$15,000 each year from the general fund is provided to support costs of the Commission on Civics Education.

*F. Out of this appropriation, \$265,323 the second year from dedicated special revenue is to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.*

	Total for Division of Legislative Services.....			<b>\$7,191,641</b>	<b>\$7,941,641</b>
					<b>\$8,206,964</b>
	General Fund Positions.....	61.00	61.00		
	Position Level.....	61.00	61.00		
	Fund Sources: General.....	\$7,171,608	\$7,921,608		
	Special.....	\$20,033	\$20,033		
	<i>Dedicated Special Revenue</i> .....	\$0	\$265,323		

- 7. Not set out.
- 8. Not set out.
- 9. Not set out.
- 10. Not set out.

ITEM 11.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
11.	Not set out.			
12.	Not set out.			
13.	Not set out.			
14.	Not set out.			
15.	Not set out.			
16.	Not set out.			
17.	Not set out.			
18.	Not set out.			
19.	Not set out.			
20.	Not set out.			
21.	Not set out.			
22.	Not set out.			
23.	Not set out.			
24.	Not set out.			
25.	Not set out.			
26.	Not set out.			
27.	Not set out.			
27.10	Not set out.			
27.20	Not set out.			
27.30	Not set out.			
27.40	Not set out.			
	Grand Total for Division of Legislative Services.....		<b>\$9,519,973</b>	<b>\$10,097,616</b> <b>\$10,362,939</b>
	General Fund Positions.....	72.50	72.50	
	Position Level.....	72.50	72.50	
	Fund Sources: General.....	\$9,475,854	\$10,053,497	
	Special.....	\$44,119	\$44,119	
	<i>Dedicated Special Revenue</i> .....	\$0	\$265,323	
28.	Not set out.			
29.	Not set out.			
29.1	Not set out.			

ITEM 30.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
30.	Not set out.				
31.	Not set out.				

**§ 1-3. JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION (110)**

32.	Legislative Evaluation and Review (78300).....			\$5,701,520	<del>\$5,701,520</del> \$5,801,520
	Performance Audits and Evaluation (78303).....	\$5,701,520	<del>\$5,701,520</del> \$5,801,520		
	Fund Sources: General.....	\$5,577,841	<del>\$5,577,841</del> \$5,677,841		
	Trust and Agency.....	\$123,679	\$123,679		

Authority: Title 30, Chapters 7 and 8, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Joint Legislative Audit and Review Commission (JLARC), \$169,525 from July 1, 2020, to June 9 2021, and \$178,001 from June 10, 2021, to June 30, 2022.

B. JLARC, upon request of the Department of Planning and Budget and approval of the Chairman, shall review and provide comments to the department on its use of performance measures in the state budget process. JLARC staff shall review the methodology and proposed uses of such performance measures and provide periodic status reports to the Commission.

C. Expenses associated with the oversight responsibility of the Virginia Retirement System by JLARC and the House Appropriations and Senate Finance *and Appropriations* Committees shall be reimbursed by the Virginia Retirement System upon documentation by the Director, JLARC of the expenses incurred.

D. Out of this appropriation, funds are provided to continue the technical support staff of JLARC, in order to assist with legislative fiscal impact analysis when an impact statement is referred from the Chairman of a standing committee of the House or Senate, and to conduct oversight of the expenditure forecasting process. Pursuant to existing statutory authority, all agencies of the Commonwealth shall provide access to information necessary to accomplish these duties.

E.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Virginia Information Technologies Agency (VITA) on a continuing basis and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance *and Appropriations* Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) VITA's infrastructure outsourcing contracts and any amendments thereto; (ii) adequacy of VITA's planning and oversight responsibilities, including VITA's oversight of information technology projects and the security of governmental information; (iii) cost-effectiveness and adequacy of VITA's procurement services and its oversight of the procurement activities of State agencies.

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of VITA.

4. Records provided to VITA by a private entity pertaining to VITA's comprehensive infrastructure agreement or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure shall be exempt from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), to the extent that such records contain (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) or (ii) financial records of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise. In order for the records specified in

ITEM 32.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

clauses (i) and (ii) to be excluded from the Virginia Freedom of Information Act, the private entity shall make a written request to VITA:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data or other materials for which protection is sought; and
- c. Stating the reasons why protection is necessary.

VITA shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. VITA shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision. Once a written determination is made by VITA, the records afforded protection under this subdivision shall continue to be protected from disclosure when in the possession of VITA or JLARC.

Except as specifically provided in this item, nothing in this item shall be construed to authorize the withholding of (a) procurement records as required by § 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by VITA and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of the private entity under the comprehensive infrastructure agreement, or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure.

5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for VITA review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

6. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

F.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to conduct, on a continuing basis, a review and evaluation of economic development initiatives and policies and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance and Appropriations Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) spending on and performance of individual economic development incentives, including grants, tax preferences, and other assistance; (ii) economic benefits to Virginia of total spending on economic development initiatives at least biennially; (iii) effectiveness, value to taxpayers, and economic benefits to Virginia of individual economic development initiatives on a cycle approved by the Commission; and (iv) design, oversight, and accountability of economic development entities, initiatives, and policies as needed.

3. For the purpose of carrying out its duties under this authority and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the facilities, employees, information, and records, including confidential information, and the public and executive session meetings and records of the board of VEDP, involved in economic development initiatives and policies for the purpose of carrying out such duties in accordance with the established standards, processes, and practices exercised by JLARC pursuant to its statutory authority. Access shall include the right to attend such meetings for the purpose of carrying out such duties. Any non-disclosure agreement that VEDP enters into on or after July 1, 2016, for the provision of confidential and proprietary information to VEDP by a third party shall require that JLARC also be allowed access to such information for the purposes of carrying out its duties.

4. Notwithstanding the provisions of subsection A or B of § 58.1-3 or any other provision of law, unless prohibited by federal law, an agreement with a federal entity, or a court decree, the Tax Commissioner is authorized to provide to JLARC such tax information as may be necessary to conduct oversight of economic development initiatives and policies.

ITEM 32.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

5. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:

(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its oversight of economic development initiatives and policies, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its oversight of economic development initiatives and policies where, if such records are made public, the financial interest of the private entity would be adversely affected.

6. By August 15 of each year, the Secretary of Commerce and Trade shall provide to JLARC all information collected pursuant to § 2.2-206.2, Code of Virginia, in a format and manner specified by JLARC to ensure that the final report to be submitted by the Secretary fulfills the intent of the General Assembly and provides the data and evaluation in a meaningful manner for decision-makers.

7. JLARC shall assist the agencies submitting information to the Secretary of Commerce and Trade pursuant to the provisions of § 2.2-206.2, Code of Virginia, to ensure that the agencies work together to effectively develop standard definitions and measures for the data required to be reported and facilitate the development of appropriate unique project identifiers to be used by the impacted agencies.

8. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for ongoing review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

9. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

10. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

G. Notwithstanding the salaries listed in paragraph A. of this item, the Joint Legislative Audit and Review Commission (JLARC) may establish a salary range for the Director of JLARC.

H.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the agencies and programs under the Secretary of Health and Human Resources (HHR) on a continuing basis.

2. Review and evaluation work shall be directed by JLARC in consultation with the Joint Committee for Health and Human Resources Oversight.

3. Review and evaluation shall include, but not be limited to (i) studies of agencies or programs; (ii) targeted analysis of spending trends and other issues warranting examination; and (iii) assessment of the soundness and accuracy of population and spending forecasts, including the process, assumptions, methodology, and results.

4. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of all agencies within the HHR secretariat.

5. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:

(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its evaluation of agencies and programs within the HHR secretariat, where the records would not be subject to disclosure by the public body

ITEM 32.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its evaluation of agencies and programs within the HHR secretariat where, if such records are made public, the financial interest of the private entity would be adversely affected.

6. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for ongoing review and evaluation of agencies and programs within the HHR secretariat, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

7. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

8. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

I.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Commonwealth's enterprise resource planning and related financial, payroll, personnel management and benefit eligibility systems (Cardinal) on a continuing basis and to provide such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance and Appropriations Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) procurement for the planning, development, implementation, operation, and maintenance of Cardinal and any subsequent contracts and amendments thereto; (ii) the development, implementation, performance, and costs of Cardinal; (iii) the long-term viability of the technologies utilized in Cardinal; (iv) the adequacy of the system of governance for Cardinal, including the responsibility for, and control of specific data in Cardinal, the responsibility for systems support and maintenance, and the appropriate role of the Virginia Information Technologies Agency; and (v) the security of governmental and personally identifiable information contained in Cardinal.

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of all state agencies and institutions.

4. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:

(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its evaluation of Cardinal, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its evaluation of Cardinal where, if such records are made public, the financial interest of the private entity would be adversely affected.

5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for Cardinal review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

6. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

7. All agencies and institutions of the Commonwealth shall cooperate as requested by JLARC



ITEM 32.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

in the performance of its duties under this authority.

J. The Joint Legislative Audit and Review Commission staff shall have access to all information and operations of the Board of Corrections and to observe closed or executive sessions of the Board of Corrections and any of its committees. This authority shall not be limited by §2.2-3712 or any other provision of law.

K. The clerk of each circuit court shall provide the Joint Legislative Audit and Review Commission with all case data in an electronic format from its own case management system or the statewide Circuit Case Management System upon request of the Commission. If the statewide Circuit Case Management System is used by the clerk, when requested by the Commission, the Executive Secretary of the Supreme Court shall provide for the transfer of such data to the Commission. The Commission may use the data for research, evaluation, or statistical purposes only and shall ensure the confidentiality and security of the data. The Commission shall only publish analyses based on this data as needed for its reports, fiscal impact reviews, or racial and ethnic impact statements as required by the General Assembly. The Commission shall not publish personal or case identifying information, including names, social security numbers and dates of birth, which may be included in the data from a case management system. Upon transfer to the Joint Legislative Audit and Review Commission, such data shall not be subject to the Virginia Freedom of Information Act. Except for the publishing of personal or case identifying information, including names, social security numbers and dates of birth, the restrictions in this section shall not prohibit the Commission from sharing aggregate data in reports, fiscal impact reviews, or racial and ethnic impact statements.

*L. The Joint Legislative Audit and Review Commission shall engage, on a limited basis, the professional and technical consultants retained for the November 2019 Report "Gaming in the Commonwealth" for a limited review of the potential state and local revenues that may be generated from a casino located in the City of Petersburg, including any potential negative revenue impact on casinos located in other authorized host cities.*

Total for Joint Legislative Audit and Review Commission.....			<b>\$5,701,520</b>	<b>\$5,701,520</b> <b>\$5,801,520</b>
General Fund Positions.....	42.00	42.00		
Nongeneral Fund Positions.....	1.00	1.00		
Position Level.....	43.00	43.00		
Fund Sources: General.....	\$5,577,841	<del>\$5,577,841</del> \$5,677,841		
Trust and Agency.....	\$123,679	\$123,679		

33. Not set out.

**§ 1-4. LEGISLATIVE DEPARTMENT REVERSION CLEARING ACCOUNT (102)**

34. Across the Board Reductions (71400).....			(\$194,600)	(\$194,600)
Across the Board Reduction (71401).....	(\$194,600)	(\$194,600)		
Fund Sources: General.....	(\$194,600)	(\$194,600)		

Authority: Discretionary Inclusion.

A. On or before June 30, 2021, the Committee on Joint Rules shall authorize a reversion to the general fund of \$5,911,271 representing savings generated by legislative agencies in the second year of the 2018 - 2020 biennium. The total savings amount includes estimated savings within the following legislative agencies:

Legislative Agency	Estimated Savings
133: Auditor of Public Accounts	\$500,000.00
961: Division of Capitol Police	\$2,000,000.00
109: Division of Legislative Automated Systems	\$40,000.00
107: Division of Legislative Services	\$1,000,000.00

ITEM 34.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
837: Virginia Disability Commission				\$68,463.70
847: Joint Commission on Technology and Science				\$166,641.57
971: State Water Commission				\$9,121.92
118: Virginia Coal and Energy Commission				\$21,614.55
108: Virginia Code Commission				\$334,651.00
862: Small Business Commission				\$13,646.28
871: Autism Advisory Council				\$16,926.12
876: Virginia Conflict of Interest and Ethics Advisory Council				\$165,078.21
872: Virginia World War I and World War II Commemoration Commission				\$300,104.58
875: Joint Commission on Transportation Accountability				\$28,199.92
877: Commission on Economic Opportunity for Virginians in Aspiring Communities				\$30,222.37
844: Joint Commission on Health Care				\$108,047.50
839: Virginia Commission on Youth				\$40,000.00
110: Joint Legislative Audit and Review Commission				\$1,068,553.29
<b>Total</b>				<b>\$5,911,271</b>

*B. On or before June 30, 2022, the Committee on Joint Rules shall authorize a reversion to the general fund of \$5,459,063 representing savings generated by legislative agencies in the first year of the 2020 - 2022 biennium. The total savings amount includes estimated savings within the following legislative agencies:*

<i>Legislative Agency</i>	<i>Estimated Savings</i>
<i>107: Division of Legislative Services</i>	<i>\$750,000</i>
<i>110: Joint Legislative Audit and Review Commission</i>	<i>\$750,000</i>
<i>118: Virginia Coal and Energy Commission</i>	<i>\$21,616</i>
<i>133: Auditor of Public Accounts</i>	<i>\$200,119</i>
<i>837: Virginia Disability Commission</i>	<i>\$25,554</i>
<i>839: Virginia Commission on Youth</i>	<i>\$20,000</i>
<i>844: Joint Commission on Health Care</i>	<i>\$30,335</i>
<i>847: Joint Commission on Technology and Science</i>	<i>\$100,000</i>
<i>862: Small Business Commission</i>	<i>\$15,000</i>
<i>871: Autism Advisory Council</i>	<i>\$6,300</i>
<i>875: Joint Commission on Transportation Accountability</i>	<i>\$28,200</i>
<i>876: Virginia Conflict of Interest and Ethics Advisory Council</i>	<i>\$179,030</i>
<i>961: Division of Capitol Police</i>	<i>\$3,322,749</i>
<i>971: State Water Commission</i>	<i>\$10,160</i>
<b>Total</b>	<b>\$5,459,063</b>

35. Not set out.

Total for Legislative Department Reversion Clearing Account.....			<b>\$515,715</b>	<b>\$515,715</b>
General Fund Positions.....	1.00	1.00		
Position Level.....	1.00	1.00		
Fund Sources: General.....	\$515,715	\$515,715		
<b>TOTAL FOR LEGISLATIVE DEPARTMENT.....</b>			<b>\$110,470,669</b>	<b>\$111,820,329</b> <b>\$113,385,810</b>
General Fund Positions.....	608.50	<del>622.50</del> 624.50		
Nongeneral Fund Positions.....	32.50	32.50		
Position Level.....	641.00	<del>655.00</del> 657.00		

ITEM 35.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund Sources: General.....	\$106,445,170	<del>\$107,794,830</del> \$109,094,988		
Special.....	\$3,764,226	\$3,764,226		
Trust and Agency.....	\$123,679	\$123,679		
<i>Dedicated Special Revenue</i> .....	\$0	\$265,323		
Federal Trust.....	\$137,594	\$137,594		

ITEM 36.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**JUDICIAL DEPARTMENT**

**§ 1-5. SUPREME COURT (111)**

36.	Not set out.				
37.	Not set out.				
38.	Not set out.				
39.	Administrative and Support Services (39900).....			\$35,512,025	<del>\$43,501,601</del> \$44,001,601
	General Management and Direction (39901).....	\$35,512,025	<del>\$43,501,601</del> \$44,001,601		
	Fund Sources: General.....	\$25,239,057	<del>\$33,228,633</del> \$33,728,633		
	Special.....	\$124,375	\$124,375		
	Dedicated Special Revenue.....	\$8,833,848	\$8,833,848		
	Federal Trust.....	\$1,314,745	\$1,314,745		

Authority: §§ 16.1-69.30, 16.1-69.33, 17.1-314 through 17.1-320 and 17.1-502, Code of Virginia.

A. The Executive Secretary of the Supreme Court shall submit an annual fiscal year summary, on or before September 1 of each year, to the Chairmen of the House Appropriations and Senate Finance Committees and to the Director, Department of Planning and Budget, which will report the number of individuals for whom legal or medical services were provided and the nature and cost of such services as are authorized for payment from the criminal fund or the involuntary mental commitment fund.

B. Notwithstanding the provisions of § 19.2-326, Code of Virginia, the amount of attorney's fees allowed counsel for indigent defendants in appeals to the Supreme Court shall be in the discretion of the Supreme Court.

C. The Chief Justice is authorized to reallocate legal support staff between the Supreme Court and the Court of Appeals of Virginia, in order to meet changing workload demands.

D. Prior to January 1 of each year, the Judicial Council and the Committee on District Courts are requested to submit a fiscal impact assessment of their recommendations for the creation of any new judgeships, including the cost of judicial retirement, to the Chairmen of the House and Senate Committees on Courts of Justice, and the House Appropriations and Senate Finance Committees.

E. Included in this Item is \$3,750,000 the first year and \$3,750,000 the second year from the general fund, which may support computer system improvements for the several circuit and district courts. The Executive Secretary of the Supreme Court shall submit an annual report to the Director, Department of Planning and Budget on or before September 1 of each year outlining the improvement projects undertaken and the project status of each project. Each project in the report should include the life to date cost of the project, the amount spent on the project in the most recently completed fiscal year, the year the project began, the estimated cost to complete the remainder of the project and an estimated project completion date.

F. Given the continued concern about providing adequate compensation levels for court-appointed attorneys providing criminal indigent defense in the Commonwealth, the Executive Secretary of the Supreme Court, in conjunction with the Governor, Attorney General, Indigent Defense Commission, representatives of the Indigent Defense Stakeholders Group and Chairmen of the House and Senate Courts of Justice Committees, shall continue to study and evaluate all available options to enhance Virginia's Indigent Defense System.

G. In addition to any filing fee or other fee permitted by law, an electronic access fee may be charged for each case filed electronically pursuant to Rule 1:17 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia.

ITEM 39.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Moneys collected pursuant to this fee shall be deposited into the State Treasury to the credit of the Courts Technology Fund established pursuant to § 17.1-132, to be used to support the costs of statewide electronic filing systems.</p>				
<p>H. 1. No state funds used to support the operation of drug court programs shall be provided to programs that serve first-time substance abuse offenders only or do not include probation violators. This restriction shall not apply to juvenile drug court programs.</p>				
<p>2. Notwithstanding the provisions of subsection O. of § 18.2-254.1, Code of Virginia, any locality is authorized to establish a drug treatment court supported by existing state resources and by federal or local resources that may be available. This authorization is subject to the requirements and conditions regarding the establishment and operation of a local drug treatment court advisory committee as provided by § 18.2-254.1 and the requirements and conditions established by the state Drug Treatment Court Advisory Committee. Any drug court treatment program established after July 1, 2012, shall limit participation in the program to offenders who have been determined, through the use of a nationally recognized, validated assessment tool, to be addicted to or dependent on drugs. However, no such drug court treatment program shall limit its participation to first-time substance abuse offenders only; nor shall it exclude probation violators from participation.</p>				
<p>3. The evaluation of drug treatment court programs required by § 18.2-254.1 shall include the collection of data needed for outcome measures, including recidivism. Drug treatment court programs shall provide to the Office of the Executive Secretary of the Supreme Court the information needed to conduct such an evaluation.</p>				
<p>4. Included within this appropriation is \$960,000 the first year and \$960,000 the second year from the general fund for drug courts in jurisdictions with high drug caseloads, to be allocated by the State Drug Treatment Court Advisory Committee to existing drug courts which have been approved by the Supreme Court of Virginia but have not previously received state funding.</p>				
<p>I. Notwithstanding the provisions of § 16.1-69.48, Code of Virginia, the Executive Secretary of the Supreme Court shall ensure the deposit of all Commonwealth collections directly into the State Treasury for Item 42 General District Courts, Item 43 Juvenile and Domestic Relations District Courts, Item 44 Combined District Courts, and Item 45 Magistrate System.</p>				
<p>J. Included in this appropriation, \$240,000 the first year and \$240,000 the second year from the general fund is provided to implement the Judicial Performance Evaluation Program established by § 17.1-100 of the Code of Virginia.</p>				
<p>K. Working in collaboration with the Chief Justice and Associate Justices of the Supreme Court of Virginia and the Chief Judge and Associate Judges of the Court of Appeals of Virginia, the Executive Secretary of the Supreme Court, in consultation with the Director of the Department of General Services, is directed to develop a comprehensive plan that meets the future space needs of both courts around Capitol Square, which is acceptable to the Chief Justice of the Supreme Court of Virginia and the Chief Judge of the Court of Appeals of Virginia.</p>				
<p>L. Included in this appropriation, \$175,321 the first year and \$175,321 the second year from nongeneral funds and two positions to support drug treatment court evaluation and monitoring. The source of funds is the Drug Offender Assessment Fund.</p>				
<p>M. Included in the amounts appropriated for this item are \$400,000 the first year and \$400,000 the second year from the general fund to be allocated by the State Drug Treatment Court Advisory Committee for the establishment of drug courts in jurisdictions with high drug-related caseloads, or to increase funding provided to existing drug court programs experiencing high caseload growth.</p>				
<p>N. Included in this appropriation is \$500,000 the first year and \$500,000 the second year from the general fund to support the creation and expansion of mental health court dockets in jurisdictions with high caseloads, to be allocated by the Virginia Supreme Court.</p>				
<p>O.1. There is hereby created in the state treasury a special nonreverting fund to be known</p>				

ITEM 39.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>as the Attorney Wellness Fund, hereinafter referred to as the Fund. The Fund shall be established on the books of the Comptroller. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of the fiscal year shall not revert to the general fund, but shall remain in the Fund. Except for transfers pursuant to this Item, there shall be no transfers out of the Fund, including transfers to the general fund.</p>				
<p>2. Notwithstanding the provisions of § 54.1-3912, Code of Virginia, in addition to any other fee permitted by law, the Supreme Court of Virginia may adopt rules assessing members of the Virginia State Bar an annual fee of up to \$30 to be deposited in the State Bar Fund and transferred to the Attorney Wellness Fund.</p>				
<p>3. Moneys in the Fund shall be allocated at the direction of the Supreme Court of Virginia solely for the purposes of wellness initiatives for attorneys, judges, and law students, to prevent substance abuse and behavioral health disorders. The revenue raised in support of the Fund shall not be used to supplant current funding to the judicial branch. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the Executive Secretary of the Supreme Court of Virginia.</p>				
<p>P. The Office of the Executive Secretary of the Supreme Court shall prepare and distribute evaluation forms in all Circuit Court cases that are overseen by a retired judge for the purpose of collecting information on the number and types of cases referred to retired judges, and use such information to prepare and annually publish a report to be distributed to the members of the House Committee on Courts of Justice and the Senate Committee on the Judiciary, on or about January 1, each year.</p>				
<p>Q. Included in this appropriation is \$1,539,033 the second year for the implementation of an automatic expungement process pursuant to House Bill 2113 and Senate Bill 1339 of the 2021 Session of the General Assembly.</p>				
<p>R. The Executive Secretary of the Supreme Court shall review, in consultation with representatives of the Indigent Defense Commission, Virginia Community Criminal Justice Association, and other stakeholders identified by the Executive Secretary, the requirements of House Bill 2286 of the 2021 Session of the General Assembly, as introduced, and produce (i) a plan for the implementation of the provisions of the bill, (ii) an estimate of the costs of implementing the provisions of the bill, and (iii) an estimate of potential off-setting savings resulting from implementation of the plan. The Executive Secretary shall provide a report detailing the plan for implementation, and associated costs and savings, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1, 2021.</p>				
<p><i>S. On or before June 30, 2022, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of \$33,500,000 from the balances of the Criminal Fund.</i></p>				
<p><i>T. Out of the amounts appropriated for this item, \$500,000 the second year from the general fund is included for the Supreme Court of Virginia to contract with the National Center for State Courts to evaluate the judicial caseloads throughout the Commonwealth on the appellate court, circuit court, general district court, and juvenile and domestic relations district court levels. The evaluation shall also consider this impact on judicial caseloads resulting from Chapter 43 of the 2020 Acts of Assembly, Special Session 1, as well as any other factors identified by the Supreme Court such as the use of interpreters, law clerks, retired or substitute judges, and the effect of population growth or decline, if any. The Supreme Court shall report the results of the study to the General Assembly no later than October 15, 2023.</i></p>				
Total for Supreme Court.....			<b>\$51,855,031</b>	<b>\$60,172,202</b> <b>\$60,672,202</b>
General Fund Positions.....	159.63	221.63		
Nongeneral Fund Positions.....	8.00	8.00		
Position Level.....	167.63	229.63		

ITEM 39.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	Fund Sources: General.....	\$41,402,783	\$49,719,954 \$50,219,954		
	Special.....	\$303,655	\$303,655		
	Dedicated Special Revenue.....	\$8,833,848	\$8,833,848		
	Federal Trust.....	\$1,314,745	\$1,314,745		
40.	Not set out.				
41.	Not set out.				
42.	Not set out.				
42.10	Not set out.				
43.	Not set out.				
44.	Not set out.				
45.	Not set out.				
	Grand Total for Supreme Court.....			<b>\$469,558,683</b>	<b>\$481,586,124</b> <b>\$482,086,124</b>
	General Fund Positions.....	2,834.71	2,889.71		
	Nongeneral Fund Positions.....	8.00	8.00		
	Position Level.....	2,842.71	2,897.71		
	Fund Sources: General.....	\$459,106,435	\$471,133,876 \$471,633,876		
	Special.....	\$303,655	\$303,655		
	Dedicated Special Revenue.....	\$8,833,848	\$8,833,848		
	Federal Trust.....	\$1,314,745	\$1,314,745		
46.	Not set out.				
47.	Not set out.				
48.	Not set out.				
48.10	Not set out.				
49.	Not set out.				
50.	Not set out.				
51.	Not set out.				
51.10	Not set out.				
	TOTAL FOR JUDICIAL DEPARTMENT.....			<b>\$562,783,921</b>	<b>\$584,451,645</b> <b>\$584,951,645</b>
	General Fund Positions.....	3,507.71	3,605.71		
	Nongeneral Fund Positions.....	195.00	106.00		
	Position Level.....	3,702.71	3,711.71		
	Fund Sources: General.....	\$525,416,049	\$547,083,773 \$547,583,773		
	Special.....	\$10,498,088	\$10,498,088		
	Dedicated Special Revenue.....	\$25,555,039	\$25,555,039		

ITEM 51.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Federal Trust.....	\$1,314,745	\$1,314,745		



ITEM 52.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**EXECUTIVE DEPARTMENT**

**EXECUTIVE OFFICES**

- 52. Not set out.
- 53. Not set out.
- 54. Not set out.
- 55. Not set out.
- 56. Not set out.

**§ 1-6. ATTORNEY GENERAL AND DEPARTMENT OF LAW (141)**

57.	Legal Advice (32000).....		\$37,383,302	\$42,263,262 \$42,547,898
	State Agency/Local Legal Assistance and Advice (32002).....	\$37,383,302	\$42,263,262 \$42,547,898	
	Fund Sources: General.....	\$23,488,332	\$28,368,292 \$28,652,928	
	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

ITEM 57.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>H. Out of the amounts included in this appropriation, \$404,273 is provided in the second year from the general fund pursuant to the passage of House Bill 2004 in the 2021 General Assembly.</p>				
<p>I. The appropriation in this item includes up to \$250,000 from the general fund in the first year to conduct an independent, third-party investigation of the Office of the State Inspector General's policies, process, and procedures employed during its investigation of the Virginia Parole Board's handling of the Vincent Martin matter. The Office of the Attorney General, in consultation with the Office of the Governor, the Speaker of the House of Delegates, and the President pro tempore of the Senate, is directed to secure an investigator to conduct the investigation. The Office of the State Inspector General and the Virginia Parole Board shall cooperate fully in the investigation. Records that are confidential under federal or state law shall be maintained as confidential by the Office of State Inspector General and shall not be further disclosed, except as required by law. Records that are confidential under state law shall be accessible to the investigator; records that are confidential under federal law shall be made available to the extent permitted by federal law. All confidential records provided to the</p>				

ITEM 57.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
investigator shall be maintained as confidential by the investigator and shall not be further disclosed, except as required by law. Notwithstanding any other provision of law, investigative notes, draft reports, and other correspondence generated during the course of this investigation are exempt from disclosure under the Virginia Freedom of Information Act, section 2.2-3700 et seq. of the Code of Virginia. No later than June 15, 2021, the investigator shall prepare a written report to the Governor, Speaker, Majority Leader and Minority Leader of the House of Delegates, President pro tempore, Majority Leader and Minority Leader of the Senate with the investigator's findings and any recommendations.				
58. Not set out.				
59. Not set out.				
60. Not set out.				
61. Not set out.				
Total for Attorney General and Department of Law			<b>\$57,117,126</b>	<b><del>\$62,111,795</del> \$62,396,431</b>
General Fund Positions.....	245.75	<del>253.75</del> 309.75		
Nongeneral Fund Positions.....	203.25	203.25		
Position Level.....	449.00	<del>457.00</del> 513.00		
Fund Sources: General.....	\$26,682,220	<del>\$31,676,889</del> \$31,961,525		
Special.....	\$18,504,588	\$18,504,588		
Federal Trust.....	\$11,930,318	\$11,930,318		
62. Not set out.				
Grand Total for Attorney General and Department of Law.....			<b>\$60,471,572</b>	<b><del>\$65,466,241</del> \$65,750,877</b>
General Fund Positions.....	245.75	<del>253.75</del> 309.75		
Nongeneral Fund Positions.....	230.25	230.25		
Position Level.....	476.00	<del>484.00</del> 540.00		
Fund Sources: General.....	\$26,682,220	<del>\$31,676,889</del> \$31,961,525		
Special.....	\$21,859,034	\$21,859,034		
Federal Trust.....	\$11,930,318	\$11,930,318		
63. Not set out.				
64. Not set out.				
65. Not set out.				
TOTAL FOR EXECUTIVE OFFICES.....			<b>\$79,077,890</b>	<b><del>\$83,461,867</del> \$83,746,503</b>
General Fund Positions.....	342.92	<del>347.92</del> 403.92		
Nongeneral Fund Positions.....	247.58	247.58		
Position Level.....	590.50	<del>595.50</del> 651.50		
Fund Sources: General.....	\$42,639,051	<del>\$47,023,028</del> \$47,307,664		

ITEM 65.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Special.....	\$22,141,424	\$22,141,424		
Commonwealth Transportation.....	\$2,248,113	\$2,248,113		
Dedicated Special Revenue.....	\$118,337	\$118,337		
Federal Trust.....	\$11,930,965	\$11,930,965		

ITEM 66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**OFFICE OF ADMINISTRATION**

- 66. Not set out.
- 67. Not set out.

**§ 1-7. COMPENSATION BOARD (157)**

- 68. Not set out.
- 69. Not set out.
- 70. Not set out.
- 71. Not set out.
- 72. Not set out.
- 73. Not set out.
- 74. Not set out.

75. Administrative and Support Services (79900).....			\$5,208,548	<del>\$5,764,904</del> \$5,780,404
General Management and Direction (79901).....	\$3,671,951	\$3,921,951		
Information Technology Services (79902).....	\$1,501,447	<del>\$1,807,803</del> \$1,823,303		
Training Services (79925).....	\$35,150	\$35,150		
Fund Sources: General.....	\$5,208,548	<del>\$5,764,904</del> \$5,780,404		

Authority: Title 2.2-1839; Title 15.2, Chapter 16, Articles 2, 3, 4 and 6.1; Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. In determining the salary of any officer specified in Items 68, 70, 71, 72, 73, and 74 of this act, the Compensation Board shall use the greater of the most recent actual United States census count or the most recent provisional population estimate from the United States Bureau of the Census or the Weldon Cooper Center for Public Service of the University of Virginia available when fixing the officer's annual budget and shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent remains in office.

2. In determining the salary of any officer specified in Items 68, 70, 71, 72, 73, and 74 of this act, nothing herein contained shall prevent the governing body of any county or city from supplementing the salary of such officer in such county or city for the provisions of Chapter 822, 2012 Acts of Assembly or for additional services not required by general law; provided, however, that any such supplemental salary shall be paid wholly by such county or city.

3. Any officer whose salary is specified in Items 68, 70, 71, 72, 73, and 74 of this act shall provide reasonable access to his work place, files, records, and computer network as may be requested by his duly elected successor after the successor has been certified.

B.1. Notwithstanding any other provision of law, the Compensation Board shall authorize and fund permanent positions for the locally elected constitutional officers, subject to appropriation by the General Assembly, including the principal officer, at the following levels:

ITEM 75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Sheriffs		11,425		11,520
Partially Funded: Jail Medical, Treatment, and Classification and Records Positions		796		808
Commissioners of the Revenue		851		851
Treasurers		861		861
Directors of Finance		383		383
Commonwealth's Attorneys		1,332		1,332
Clerks of the Circuit Court		1,158		1,158
<b>TOTAL</b>		<b>16,806</b>		<b>16,913</b>

2. The Compensation Board is authorized to provide funding for 597 temporary positions the first year and 597 temporary positions the second year.

3. The board is authorized to adjust the expenses and other allowances for such officers to maintain approved permanent and temporary manpower levels.

4. Paragraphs B 1 and B 2 of this Item shall not apply to the clerks of the circuit courts and their employees specified in § 17.1-288, Code of Virginia, or those under contract pursuant to § 17.1-290, Code of Virginia.

C.1. Reimbursement by the Compensation Board for the use of vehicles purchased or leased with public funds used in the discharge of official duties shall be at a rate equal to that approved by the Joint Legislative Audit and Review Commission for Central Garage Car Pool services. No vehicle purchased or leased with public funds on or after July 1, 2002, shall display lettering on the exterior of the vehicle that includes the name of the incumbent sheriff.

2. Reimbursement by the Compensation Board for the use of personal vehicles in the discharge of official duties shall be at a rate equal to that established in § 4-5.04 e 2. of this act. All such requests for reimbursement shall be accompanied by a certification that a publicly owned or leased vehicle was unavailable for use.

D. The Compensation Board is directed to examine the current level of crowding of inmates in local jails among the several localities and to reallocate or reduce temporary positions among local jails as may be required, consistent with the provisions of this act.

E. Any new positions established in Item 75 of this act shall be allocated by the Compensation Board upon request of the constitutional officers in accordance with staffing standards and ranking methodologies approved by the Compensation Board to fulfill the requirements of any court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance with the provisions of Item 68 of this act.

F. Any funds appropriated in this act for performance pay increases for designated deputies or employees of constitutional officers shall be allocated by the Compensation Board upon certification of the constitutional officer that the performance pay plan for that office meets the minimum standards for such plans as set by the Compensation Board. Nothing herein, and nothing in any performance pay plan set by the Compensation Board or adopted by a constitutional officer, shall change the status of employees or deputies of constitutional officers from employees at will or create a property or contractual right to employment. Such deputies and employees shall continue to be employees at will who serve at the pleasure of the constitutional officers.

G. The Compensation Board shall apply the current fiscal stress factor, as determined by the Commission on Local Government, to any general fund amounts approved by the board for the purchase, lease or lease purchase of equipment for constitutional officers. In the case of equipment requests from regional jail superintendents and regional special prosecutors, the highest stress factor of a member jurisdiction will be used.

H. The Compensation Board shall not approve or commit additional funds for the operational cost, including salaries, for any local or regional jail construction, renovation, or expansion project which was not approved for reimbursement by the State Board of Corrections prior to January 1, 1996, unless: (1) the Secretary of Public Safety and Homeland Security certifies that such additional funding results in an actual cost savings to the Commonwealth or (2) an exception has been granted as provided for in Item 398 of this act.

ITEM 75.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

I. Subject to appropriations by the General Assembly for this purpose, the Compensation Board may provide funding for executive management, lawful employment practices, and jail management training for constitutional officers, their employees, and regional jail superintendents.

J. Any local or regional jail that receives funding from the Compensation Board shall report inmate populations to the Compensation Board, through the local inmate data system, no less frequently than weekly. Each local or regional jail that receives funding from the Compensation Board shall use the Virginia Crime Codes (VCC) in identifying and describing offenses for persons arrested and/or detained in local and regional jails in Virginia.

K.1. The Compensation Board shall provide the Chairmen of the Senate Finance and House Appropriations Committees and the Secretaries of Finance and Administration with an annual report, on December 1 of each year, of jail revenues and expenditures for all local and regional jails and jail farms which receive funds from the Compensation Board. Information provided to the Compensation Board is to include an audited statement of revenues and expenses for inmate canteen accounts, telephone commission funds, inmate medical co-payment funds, any other fees collected from inmates and investment/interest monies for inclusion in the report.

2. Local and regional jails and jail farms and local governments receiving funds from the Compensation Board shall, as a condition of receiving such funds, provide such information as may be required by the Compensation Board, necessary to prepare the annual jail cost report.

3. If any sheriff, superintendent, county administrator, or city manager fails to send such information within five working days after the information should be forwarded, the Chairman of the Compensation Board shall notify the sheriff, superintendent, county administrator or city manager of such failure. If the information is not provided within ten working days from that date, then the chairman shall cause the information to be prepared from the books of the city, county, or regional jail and shall certify the cost thereof to the State Comptroller. The State Comptroller shall issue his warrant on the state treasury for that amount, deducting the same from any funds that may be due the sheriff or regional jail from the Commonwealth.

L. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 (§ 15.2-3500 et seq.) of Title 15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide funding from Items 68, 71, 72, 73, and 74 of this act, consistent with the requirements of § 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph E of this Item, any positions in the constitutional offices of the former city or former county which are available for reallocation as a result of the transition or consolidation shall be first reallocated in accordance with Compensation Board staffing standards to the constitutional officers in the county in which the town is situated or to the consolidated city, without regard to the Compensation Board's priority of need ranking for reallocated positions. The salary and fringe benefit costs for these positions shall be deducted from any amounts due the county or to the consolidated city, as provided in § 15.2-1302, Code of Virginia.

M. Notwithstanding any other provisions of § 15.2-1605, Code of Virginia, the Compensation Board shall provide no reimbursement for accumulated vacation time for employees of Constitutional Officers.

N. The Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 68, 70, 71, 72, 73, and 74 of this act, an amount equal to 100 percent of each locality's share of the insurance premium paid by the Compensation Board on behalf of the constitutional officers, directors of finance, and regional jails. From sheriffs and regional jails, the Compensation Board shall deduct an additional \$80,000 each year for the costs of conducting training on managing risk in the operation of local and regional jails.

O. Effective July 1, 2007, the Compensation Board is authorized to withhold

ITEM 75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the Superintendent that the data is accurate, the Compensation Board shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.</p>			
	<p>P. Notwithstanding the provisions of § 51.1-1403 A, Code of Virginia, the Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 68, 70, 71, 72, 73, and 74 of this act, an amount equal to each locality's retiree health premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.</p>			
	<p>Q.1. Compensation Board payments of, or reimbursements for, the employer paid contribution to the Virginia Retirement System, or any system offering like benefits, shall not exceed the Commonwealth's proportionate share of the following, whichever is less: (a) the actual retirement rate for the local constitutional officer's office or regional correctional facility as set by the Board of the Virginia Retirement System or (b) the employer rate established for the general classified workforce of the Commonwealth covered under and payable to the Virginia Retirement System.</p>			
	<p>2. The rate specified in paragraph Q.1. shall exclude the cost of any early retirement program implemented by the Commonwealth.</p>			
	<p>3. Any employer paid contribution costs for rates exceeding those specified in paragraph Q.1. shall be borne by the employer.</p>			
	<p>4. The benefits rate reimbursed by the Compensation Board to localities and regional jails shall not exceed the rate identified for fiscal year 2011 in Chapter 890, Item 469, paragraph I.1.</p>			
	<p>R. Localities shall not utilize Compensation Board funding to supplant local funds provided for the salaries of constitutional officers and their employees under the provisions of Chapter 822, 2012 Acts of Assembly, who were affected members in service on June 30, 2012.</p>			
	<p>S. Effective July 1, 2016, the Compensation Board is authorized to withhold reimbursements due to the locality for sheriff's law enforcement expenses if the sheriff fails to certify to the Board that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia. Upon subsequent certification by the sheriff that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia, the Compensation Board shall make reimbursement of withheld funding due to the locality when such subsequent certification is made within the same fiscal year that funds have been withheld.</p>			
	<p>T.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Executive Secretary of the State Compensation Board shall implement the recommendations relating to the State Compensation Board 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.</p>			
	<p>U. The Compensation Board shall perform a review of the career development programs within the constitutional offices regarding the demographic composition of the employees in the programs and make recommendations as needed to ensure equity and fairness within the programs. The Compensation Board shall provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2020.</p>			
	<p>V.1. The Compensation Board shall work with the Virginia Association of Commonwealth's Attorneys to examine the staffing standards used to determine and distribute funding and positions allocated to Commonwealth's Attorney's offices, including the use of diversion programs, specialty dockets, and other programs that incentivize best practices and improved outcomes as part of overall criminal justice reform efforts, rather than the current practice which relies solely on metrics related to felony charges and convictions. The examination shall identify funding needs to support staffing for statutorily prescribed duties while also identifying funding needs for participation in special programs, discretionary duties, and</p>			



ITEM 75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>current local supplemental funds allocated. To assist in this goal, the Compensation Board shall contract with the National Center for State Courts to perform a time study as to the comprehensive duties and responsibilities of Commonwealth's Attorneys' offices including, but not limited to, "in-court" obligations, the use of diversion programs and specialty dockets, expungement/rights restoration volume as well as other obligations reflected in the Code of Virginia (e.g. duties prescribed under §15.2-1627, et seq). The Compensation Board shall develop a revised staffing standard for Commonwealth's Attorney's offices based on the results of the study that expands the current model focused on felony charges and convictions and accounts for the use of diversion programs, speciality dockets, and other programs. Included within this appropriation is \$250,000 in the second year from the general fund for the purpose of contracting with the Center to perform the study. All Commonwealth's Attorneys shall participate in the study as needed and identified by the Compensation Board and the National Center for State Courts.</p> <p>2. The Compensation Board shall provide a status report on the progress of the study and participants to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021. The Compensation Board shall deliver a report containing the results of the study, anticipated costs, and staffing standards methodology revisions under review or approved by the Board to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022.</p> <p>W. The Compensation Board shall review the plan to be developed by the Department of Criminal Justice Services by July 1, 2021 outlining law enforcement agencies' roles and engagement with the development of the Mental Health Awareness Response and Community Understanding Services Alert System, established pursuant to House Bill 5043 and Senate Bill 5038 of the 2020 Special Session I of the General Assembly, and shall survey sheriffs' offices to determine anticipated costs to support staffing and training needs to meet the requirements established by the plan. The Compensation Board shall provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021 of the findings of the survey and estimated costs to meet the requirements established by the plan.</p>				
75.10	Not set out.			
	Total for Compensation Board.....		<b>\$735,071,920</b>	<b>\$746,418,253</b> <b>\$746,433,753</b>
	General Fund Positions.....	20.00	21.00	
	Nongeneral Fund Positions.....	1.00	1.00	
	Position Level.....	21.00	22.00	
	Fund Sources: General.....	\$718,465,692	<del>\$729,812,025</del> \$729,827,525	
	Trust and Agency.....	\$8,003,370	\$8,003,370	
	Dedicated Special Revenue.....	\$8,602,858	\$8,602,858	
76.	Not set out.			
77.	Not set out.			
78.	Not set out.			
79.	Not set out.			
80.	Not set out.			
81.	Not set out.			
82.	Not set out.			
82.10	Not set out.			

ITEM 82.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<b>§ 1-8. DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (129)</b>				
83.	Personnel Management Services (70400).....		\$108,485,214	\$109,594,197 <i>\$109,664,664</i>
	Agency Human Resource Services (70401).....	\$1,915,564	\$2,915,564	
	Human Resource Service Center (70402).....	\$1,176,473	\$1,114,273	
	Equal Employment Services (70403).....	\$725,773	\$725,773	
	Health Benefits Services (70406).....	\$7,096,747	\$7,096,747	
	Personnel Development Services (70409).....	\$409,805	<del>\$712,695</del> \$783,162	
	Personnel Management Information Services (70410).....	\$1,395,087	\$1,263,380	
	Employee Dispute Resolution Services (70416).....	\$1,182,370	\$1,182,370	
	State Employee Program Services (70417).....	\$1,905,191	\$1,905,191	
	State Employee Workers' Compensation Services (70418).....	\$91,463,439	\$91,463,439	
	Administrative and Support Services (70419).....	\$1,214,765	\$1,214,765	
	Fund Sources: General.....	\$5,143,817	<del>\$6,446,707</del> \$6,517,174	
	Special.....	\$1,805,051	\$1,742,851	
	Enterprise.....	\$2,596,995	\$2,596,995	
	Internal Service.....	\$7,104,757	\$6,973,050	
	Trust and Agency.....	\$91,834,594	\$91,834,594	

Authority: Title 2.2, Chapters 12 and 28, 29, 30, and 32, Code of Virginia.

A. The Department of Human Resource Management shall report any proposed changes in premiums, benefits, carriers, or provider networks to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees at least sixty days prior to implementation.

B.1. The Department of Human Resource Management shall operate a human resource service center to support the human resource needs of those agencies identified by the Secretary of Administration in consultation with the Department of Planning and Budget. The agencies identified shall cooperate with the Department of Human Resource Management by transferring such records and functions as may be required.

2. Nothing in this paragraph shall prohibit additional agencies from using the services of the center; however, these additional agencies' use of the human resource service center shall be subject to approval by the affected cabinet secretary and the Secretary of Administration.

3. The cost of the human resource center's services shall be recovered and paid solely from revenues derived from charges for services. The rates required to recover the costs of the human resource service center shall be provided by the Department of Human Resource Management to the Department of Planning and Budget by September 1 each year for review and approval of the subsequent fiscal year's rate in accordance with § 4-5.03 of this act.

4. The rates for the human resource service center shall be \$1,306.00 per full-time equivalent and \$483.00 per wage employee the first year and \$1,237.00 per full-time equivalent and \$458.00 per wage employee the second year.

C. The institutions of higher education shall be exempt from the centralized advertising requirements identified in Executive Order 73 (01).

D.1. To ensure fair and equitable performance reviews, the Department of Human Resource Management, within available resources, is directed to provide performance management training to agencies and institutions of higher education with classified employees.

2. Agency heads in the Executive Department are directed to require appropriate performance management training for all agency supervisors and managers.

E. The Department of Human Resource Management shall take into account the claims experience of each agency and institution when setting premiums for the workers'

ITEM 83.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

compensation program.

F.1. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by October 30 of each year, on its recommended workers' compensation premiums for state agencies for the following biennium. This report shall also include the basis for the department's recommendations; the status and recommendations of the loss control program authorized in paragraph F. 2; the number and amount of workers' compensation settlements concluded in the previous fiscal year, inclusive of those authorized in paragraph F. 3.a; and the impact of those settlements on the workers' compensation program's reserves.

2. Beginning July 1, 2015, the Department of Human Resource Management shall conduct an annual review of each state agency's loss control history, to include the severity of workers' compensation claims, experience modification factor, and frequency normalized by payroll. Based on the annual review, state agencies deemed by the Department of Human Resource Management as having higher than normal loss history shall be required to participate in a loss control program. All executive, judicial, legislative, and independent agencies required to participate in the loss control program shall fully cooperate with the Department of Human Resource Management's review.

3.a. A working capital advance of up to \$20,000,000 shall be provided to the Department of Human Resource Management to identify and potentially settle certain workers' compensation claims open for more than one year but less than 10 years. The Department of Human Resource Management shall pay back the working capital advance from annual premiums over a seven-year period.

b. The Secretary of Finance and Secretary of Administration shall approve the drawdowns from this working capital advance prior to the expenditure of funds. The State Comptroller shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance Committees of any approved drawdowns.

G. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees, by October 15 of each year, on the renewal cost of the state employee health insurance program premiums that will go into effect on July 1 of the following year. This report shall include the impact of the renewal cost on employee and employer premiums and a valuation of liabilities as required by Other Post Employment Benefits reporting standards.

H. Out of this appropriation, \$606,439 the first year and \$606,439 the second year from the general fund is provided for the time, attendance and leave system.

I. The Department of Human Resource Management shall develop and distribute instructions and guidelines to all executive department agencies for the provision of an annual statement of total compensation for each classified employee. The statement should account for the full cost to the Commonwealth and the employee of cash compensation as well as Social Security, Medicare, retirement, deferred compensation, health insurance, life insurance, and any other benefits. The Director, Department of Human Resource Management, shall ensure that all executive department agencies provide this notice to each employee. The Department of Accounts and the Virginia Retirement System shall provide assistance upon request. Further, the Director of the Department of Human Resource Management shall provide instructions and guidelines for the development notices of total compensation to all independent, legislative, and judicial agencies, and institutions of higher education for preparation of annual statements to their employees.

J. 1. The appropriation for the Personnel Management Information System (PMIS) is a sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges to participating agencies, identified by the Department of Human Resource Management and approved by the Department of Planning and Budget, to support the operation of PMIS and its subsystems authorized in this Item.

2.a. The rate for agencies to support PMIS and its subsystems, operated and maintained by the Department of Human Resource Management, shall be \$10.91 per position the first

ITEM 83.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>year and no more than \$10.66 per position the second year. The rate is based upon the higher of the agency's maximum employment level as of July 1, 2019, and filled wage positions as of June 30, 2019, or the total number of filled classified and wage positions as of June 30, 2019.</p> <p>b. The rates authorized to support the operation of PMIS and its subsystems shall be provided by the Department of Human Resource Management and approved by the Department of Planning and Budget by September 1 each year for review and approval of the subsequent fiscal year's rate in accordance with § 4-5.03 of this act.</p> <p>3. The State Comptroller shall recover the cost of services provided for the administration of the internal service fund through interagency transactions as determined by the State Comptroller.</p> <p>K. The Department of Human Resource Management shall work with the Virginia Information Technologies Agency to develop a pilot program, beginning in July of 2019, utilizing a currently available electronic platform, to track and evaluate the productivity contract staff when teleworking or working in an office that is not part of the agency for which they work or for which they have a contract. The Departments shall identify specific executive branch agencies which have a significant number of such contractors and work with these agencies to develop the pilot project. The Departments shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the results of the pilot program by November 15, 2020.</p> <p>L. Out of the amounts appropriated for this item, \$24,400 from the general fund the first year is provided for the development of a diversity and cultural competency training module, which is to be administered to all state employees employed on or after January 1, 2021.</p> <p>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 include contact information in their email signature, which shall include, at a minimum, an office phone number and/or state cell phone number.</p> <p>N. The Department in collaboration with the Department of General Services, the Virginia Information Technologies Agency, and any other state agency upon request, shall examine the Commonwealth's existing telework policies, and how agency program and service delivery tools and methodologies employed during the COVID-19 pandemic may inform future policy objectives regarding the use of telework and alternative work schedules as a means of achieving administrative efficiencies, reducing cost, and sustaining the hiring and retention of a highly qualified workforce. The Department shall report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on its findings by September 1, 2021.</p>				
Total for Department of Human Resource Management.....			<b>\$108,485,214</b>	<b>\$109,594,197</b> <i>\$109,664,664</i>
General Fund Positions.....			43.90	43.90
Nongeneral Fund Positions.....			71.10	71.10
Position Level.....			115.00	115.00
Fund Sources: General.....			\$5,143,817	<del>\$6,446,707</del> <i>\$6,517,174</i>
Special.....			\$1,805,051	\$1,742,851
Enterprise.....			\$2,596,995	\$2,596,995
Internal Service.....			\$7,104,757	\$6,973,050
Trust and Agency.....			\$91,834,594	\$91,834,594
84.	Not set out.			
85.	Not set out.			
Grand Total for Department of Human Resource Management.....			<b>\$2,307,035,620</b>	<b>\$2,412,144,603</b> <i>\$2,412,215,070</i>

ITEM 85.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
General Fund Positions.....	44.90	44.90		
Nongeneral Fund Positions.....	71.10	71.10		
Position Level.....	116.00	116.00		
Fund Sources: General.....	\$6,623,156	<del>\$7,926,046</del> \$7,996,513		
Special.....	\$1,805,051	\$1,742,851		
Enterprise.....	\$590,052,239	\$590,052,239		
Internal Service.....	\$1,581,300,580	\$1,685,168,873		
Trust and Agency.....	\$127,254,594	\$127,254,594		

**§ 1-9. DEPARTMENT OF ELECTIONS (132)**

86.	Electoral Services (72300).....			\$35,593,662	<del>\$16,910,479</del> \$16,939,330
	Electoral Administration, Uniformity, Legality, and Quality Assurance Services (72302).....	\$1,621,062	\$1,621,062		
	Statewide Voter Registration System and Associated Information Technology Services (72304).....	\$30,157,756	<del>\$11,386,990</del> \$11,415,841		
	Campaign Finance Disclosure Administration Services (72309).....	\$178,568	\$178,568		
	Voter Services and Communications (72311).....	\$1,060,726	\$1,148,039		
	Administrative Services (72312).....	\$2,575,550	\$2,575,820		
	Fund Sources: General.....	\$32,541,412	<del>\$13,858,229</del> \$13,887,080		
	Special.....	\$52,250	\$52,250		
	Trust and Agency.....	\$3,000,000	\$3,000,000		

Authority: Title 24.2, Chapter 1, Code of Virginia.

A. It is the intention of the General Assembly that all local precincts, other than central absentee precincts established under § 24.2-712, Code of Virginia, will use electronic pollbooks for elections held beginning in November, 2010.

B. Any locality using paper pollbooks for elections held beginning in November, 2010, shall be responsible for entering voting credit as provided in § 24.2-668. Additionally, any locality using paper pollbooks for elections held after November, 2010 may be required to reimburse the Department of Elections for state costs associated with providing paper pollbooks.

C. Municipalities will pay all expenses associated with May elections after June 30, 2009, including those costs incurred by the Department of Elections.

D. The State Board of Elections shall by regulation provide for an administrative fee up to \$25 for each non-electronic report filed with the State Board under § 24.2-947.5. The regulation shall provide for waiver of the fee based upon indigence.

E. All unpaid charges and civil penalties assessed under Title 24.2 shall be subject to interest, the administrative collection fee and late penalties authorized in the Virginia Debt Collection Act, Chapter 48 of Title 2.2, § 2.2-4800 et seq.

F. Out of this appropriation, \$212,687 the first year from the general fund is provided for voter outreach and education required to inform voters about the photo identification requirements pursuant to Chapter 725 of the Acts of Assembly of 2013. It is the intent of the General Assembly that registration cards containing the voter's photograph and signature be provided free to any eligible voter upon request to the general registrar.

G. Out of this appropriation, \$212,423 the first year and \$212,423 the second year from the general fund is provided for conducting list maintenance mailings as required by the National Voter Registration Act.

H. Out of this appropriation, \$6,800 each year from the general fund is provided to

ITEM 86.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	increase the membership of the State Board of Elections from three members to five members, consistent with the provisions of § 24.2-102, Code of Virginia.			
	I. 1. It is the intent of the General Assembly that federal awards from the Help America Vote Act of 2002 (HAVA) under P.L. 116-93 be used to replace the Virginia Election and Registration Information System (VERIS) by July 1, 2022. Out of the amounts included in this item, up to \$18,770,766 the first year from the general fund may be used to support VERIS replacement and shall serve as the state's required match to receive the federal HAVA award.			
	2. All available HAVA funding and associated state matching funds required that are eligible for this purpose shall be exhausted prior to using other general fund appropriation provided in this Item.			
	3. Out of the general fund amounts provided in this paragraph, \$16,735,624 shall be unallotted. The Secretary of Finance and Secretary of Administration shall approve the allotment of these funds to be used for VERIS replacement costs after the exhaustion of all available HAVA funding and the initial required state match component of \$2,035,142.			
	4. Any balances remaining from the appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support VERIS replacement in the subsequent fiscal year.			
	J. Out of the amounts included in this item, \$96,644 the first year and \$96,644 the second year from the general fund and one position shall support a permanent, full-time director of operations position subject to the Virginia Personnel Act (§ 2.2-2900 et seq.) within the Department.			
	K.1 Notwithstanding Virginia Code §§ 24.2-506, 24.2-521, and 24.2-684.1, during a state of emergency as declared by the Governor due to the novel coronavirus (COVID-19) during 2021, any candidate for nomination by primary or any candidate for any office, other than a party nominee, may gather petition signatures as prescribed under Chapter 6 of Title 24.2 or by using the relevant form published by the Department of Elections as described under paragraph (2).			
	2. For local offices, offices of the General Assembly, statewide offices, constitutional offices, and referenda, the Department of Elections will develop and publish, not later than March 1, 2021, forms to be used for petition circulation that permit a qualified petition signer to sign a petition while not in the presence of a petition circulator, provided that, in using the form, the petition signer must provide the following information:			
	a. Affirmation that the signer is who they attest they are;			
	b. Affirmation that the signer is a resident of their jurisdiction, including a statement of their address; and			
	c. The last four digits of the signer's social security number.			
	3. If an individual signs a petition form published by the Department of Elections as described under paragraph (2), that individual shall transmit that form, either by mail, electronically, or physically, to the candidate, the candidate's campaign, or the petition circulator.			
	4. If a petition form is required to be submitted to the Chair or Chair of the several committees of the respective party of the candidate for whom the petition is signed, the candidate, the candidate's campaign, or the appropriate petition circulator shall submit the petition forms as prescribed under Title 24.2 of the Virginia Code.			
	5. If a petition form is required to be submitted to a general registrar, the candidate, the candidate's campaign, or the appropriate petition circulator shall submit the petition forms as prescribed under Title 24.2 of the Virginia Code.			
	6. If a petition form is required to be submitted to the State Board of Elections, the candidate, the candidate's campaign, or the appropriate petition circulator shall submit the petition form to the State Board of Elections either by mail, electronically, or physically. Any such petition forms shall be required to be received by the State Board of Elections by the relevant deadline under Virginia Code Title 24.2.			
	7. If a petition is required to be submitted to a court or other appropriate authority pursuant to			

ITEM 86.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Virginia Code § 24.2-684.1, the individual circulating such petition shall submit the petition to the court or other appropriate authority as prescribed under Title 24.2 of the Virginia Code.</p>				
<p>L.1. For the special elections, general elections, and primaries to be held prior to July 1, 2021 upon receipt of an absentee ballot returned four days prior to the date of the election, each general registrar shall examine the ballot envelopes to verify completion of the required voter affirmation.</p>				
<p>2. If the general registrar finds during the examination of a returned absentee ballot envelope that the required voter affirmation was not correctly or completely filled out or that a procedure required by § 24.2-707 of the Code of Virginia was not properly followed, and such error or failure shall render the ballot void by law, the general registrar shall, within three days of such finding, notify the voter of the error or failure. However, notwithstanding the provisions of §§ 24.2-706 and 24.2-707 of the Code of Virginia, the failure of an absentee voter marking and returning a mail absentee ballot for special elections, general elections, and primaries, or ballot measures held prior to July 1, 2021, to have a witness sign the statement on the back of the absentee ballot return envelope shall not be considered a material omission and shall not render his ballot void. Such notice shall be made by phone, email, or in writing and shall provide information to the voter as to how to correct the issue so his ballot may be counted. The voter shall be entitled to make such necessary corrections before noon on the third day after the election, and his ballot shall then be counted pursuant to the procedures set forth in § 24.2-709.1 of the Code of Virginia if he is found to be entitled to vote. Notwithstanding any other provision of law to the contrary, no absentee ballot needing correction shall be delivered to the officers of election at the appropriate precinct until the voter is provided the opportunity to make the necessary corrections pursuant to this subparagraph.</p>				
<p>3. The general registrar may issue a new absentee ballot to the voter if necessary and shall preserve the first ballot with other spoiled ballots.</p>				
<p>M.1. Notwithstanding any other provision of law, for special elections, general elections, and primaries to be held prior to July 1, 2021, mailed absentee ballots shall be returned (i) by mail to the office of the general registrar, (ii) by the voter in person to the general registrar, (iii) to a drop-off location, or (iv) by commercial delivery service.</p>				
<p>2. Mailed absentee ballots shall provide instructions that include information on the locations of all drop-off locations available in the locality at the time such ballots are mailed by the general registrar.</p>				
<p>3. The general registrar of each county or city shall establish at the office of the general registrar and each voter satellite office in operation for an election a drop-off location for the purpose of allowing voters to deposit completed absentee ballots for such election. On the day of the election, there shall also be a drop-off location at each polling place in operation for the election. The general registrar may establish additional drop-off locations within the county or city as he deems necessary. All drop-off locations shall be accessible; be on public property, unless located at a polling place; and otherwise comply with any criteria for drop-off locations set by the Department of Elections.</p>				
<p>4. The Department of Elections shall set standards for the establishment and operation of drop-off locations, including necessary security requirements. The Department of Elections shall submit such standards to the Chairs 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.</p>				
<p>5. The general registrar of a county or city utilizing drop-off locations shall post notice of the locations of the drop-off locations in the locality in the office of the general registrar and on the official website for the county or city. Such notice shall remain in the office of the general registrar and on the official website for the county or city for the duration of the period during which absentee ballots may be returned.</p>				
<p>6. Absentee ballots shall be collected from drop-off locations in accordance with the instructions provided by the Department of Elections. Such instructions shall include chain of custody requirements and recordkeeping requirements. Absentee ballots shall be</p>				

ITEM 86.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
collected at least daily, by two officers of election representing the two major political parties, when practicable, or by two employees from the office of the general registrar, unless the drop-off location is in the office of the general registrar, in which case the general registrar or an assistant general registrar may collect the absentee ballots.				
7. Any ballot returned to a drop-off location in any manner except as prescribed by law shall be void. Absentee ballots shall be returned to a drop-off location before the closing of the polls. Any voter who is in line to return the voter's absentee ballot at a drop-off location by 7:00 p.m. on the day of the election shall be permitted to deposit the absentee ballot.				
N. The general registrar shall include with the absentee ballot prescribed in § 24.2-706 of the Code of Virginia, an envelope, properly addressed and postage prepaid, for the return of the ballot to the general registrar by mail for special elections, general elections, and primaries to be held prior to July 1, 2021.				
O. The provisions of paragraphs L., M. and N. shall expire June 30, 2021.				
P. The Department shall use remaining funds provided in Chapter 1, 2020 Special Session I Acts of Assembly to reimburse localities for the cost of prepaid postage for the return of absentee ballots. The Department of Elections shall reimburse localities for return absentee ballot prepaid postage by validating qualifying amounts through proper documentation. These funds shall not be used or otherwise obligated for any other purposes.				
Q. Out of the amounts in this item, \$300,000 in the second year from the general fund is provided for voter outreach and education about new voting laws enacted by the 2020 General Assembly and 2021 General Assembly.				
<i>R. On or before June 30, 2022, the Director, Department of Planning and Budget, shall revert to the general fund any unused balances from this item, at an amount estimated at \$1,100,000 in the second year, for reimbursements to localities for return absentee ballot prepaid postage costs authorized in Chapter 1 of the 2020 Acts of Assembly, Special Session I.</i>				
87.	Not set out.			
87.10	Not set out.			
	Total for Department of Elections.....		<b>\$41,869,040</b>	<del>\$26,699,991</del> <b>\$26,728,842</b>
	General Fund Positions.....	58.00	<del>58.00</del> 59.00	
	Position Level.....	58.00	<del>58.00</del> 59.00	
	Fund Sources: General.....	\$38,816,790	<del>\$23,647,741</del> \$23,676,592	
	Special.....	\$52,250	\$52,250	
	Trust and Agency.....	\$3,000,000	\$3,000,000	
<b>§ 1-10. VIRGINIA INFORMATION TECHNOLOGIES AGENCY (136)</b>				
88.	Omitted.			
89.	Omitted.			
90.	Not set out.			
91.	Not set out.			
92.	Administrative and Support Services (89900).....		\$44,450,830	\$47,038,343
	General Management and Direction (89901).....	\$24,753,220	\$24,835,943	
	Accounting and Budgeting Services (89903).....	\$6,533,117	\$9,678,117	
	Human Resources Services (89914).....	\$917,784	\$917,784	



ITEM 92.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Planning and Evaluation Services (89916).....	\$3,610,587	\$3,120,377		
Procurement and Contracting Services (89918).....	\$5,282,342	\$5,282,342		
Web Development and Support Services (89940)....	\$3,353,780	\$3,203,780		
Fund Sources: Special.....	\$10,132,640	\$10,132,640		
Internal Service.....	\$34,318,190	\$36,905,703		

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A.1. Out of this appropriation, \$34,318,190 the first year and \$36,905,703 the second year for Administrative and Support Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from charges to other programs within this agency.

2. In accordance with § 2.2-2013 D, Code of Virginia, the surcharge rate used to fund expenses for operations and staff of services administered by the Virginia Information Technologies Agency shall be no more than 12.76 percent the first year and 13.55 percent the second year.

3. Included in the amounts for Administrative and Support Services are funds from the Acquisition Services Special Fund which is paid solely from receipts from vendor information technology contracts. These funds will be used to finance procurement and contracting activities and costs unallowable for federal fund reimbursement.

B. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Virginia Port Authority.

C. The requirement that the Department of Behavioral Health and Developmental Services purchase information technology equipment or services from the Virginia Information Technologies Agency according to the provisions of Chapters 981 and 1021 of the Acts of Assembly of 2003 shall not adversely impact the provision of services to mentally disabled clients.

D. The Chief Information Officer and the Secretary of Administration shall provide the Governor and the Chairmen of the House Appropriations and Senate Finance Committees with a report detailing any amendments or modifications to the information technology infrastructure services contracts. The report shall include statements describing the fiscal impact of such amendments or modifications and shall be submitted within 30 days following the signing of any amended agreement.

E.1. Notwithstanding the provisions of §§ 2.2-1509, 2.2-2007 and 2.2-2017, Code of Virginia, the scope of formal reporting on major information technology projects in the Recommended Technology Investment Projects (RTIP) report is reduced. The efforts involved in researching, analyzing, reviewing, and preparing the report will be streamlined and project ranking will be discontinued. Project analysis will be targeted as determined by the Chief Information Officer (CIO) and the Secretary of Administration. Information on major information technology investments will continue to be provided General Assembly members and staff. Specifically, the following tasks will not be required, though the task may be performed in a more streamlined fashion: (i) The annual report to the Governor, the Secretary, and the Joint Commission on Technology and Science; (ii) The annual report from the CIO for submission to the Secretary, the Information Technology Advisory Council, and the Joint Commission on Technology and Science on a prioritized list of Recommended Technology Investment Projects (RTIP Report); (iii) The development by the CIO and regular update of a methodology for prioritizing projects based upon the allocation of points to defined criteria and the inclusion of this information in the RTIP Report; (iv) The indication by the CIO of the number of points and how they were awarded for each project recommended for funding in the RTIP Report; (v) The reporting, for each project listed in the RTIP, of all projected costs of ongoing operations and maintenance activities of the project for the next three biennia following project implementation, a justification and description for each project baseline change, and whether the project fails to incorporate existing standards for the maintenance, exchange, and security of data; and (vii) The reporting of trends in current projected information technology spending by state agencies and secretariats, including spending on projects, operations and maintenance, and payments to Virginia Information Technologies Agency.

ITEM 92.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>2. Notwithstanding any other provision of law and effective July 1, 2015, the Virginia Information Technologies Agency (VITA) shall maintain and update quarterly a list of major information technology projects that are active or are expected to become active in the next fiscal year and have been approved and recommended for funding by the Secretary of Administration. Such list shall serve as the official repository for all ongoing information technology projects in the Commonwealth and shall include all information required by § 2.2-1509.3 (B)(1)-(8), Code of Virginia. VITA shall make such list publically available on its website, updated on a quarterly basis, and shall submit electronically such quarterly update to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget, in a format mutually agreeable to them. To ensure such list can be maintained and updated quarterly, state agencies with major information technology projects that are active or are expected to become active in the next fiscal year shall provide in a timely manner all data and other information requested by VITA.</p> <p><i>F. The Virginia Information Technologies Agency (the agency) shall take the necessary steps to obtain and use the cybersecurity grant funding that is available to Virginia under the State and Local Cybersecurity Improvement Act subtitle of the Infrastructure Investment and Jobs Act of 2021, P.L. 117-58. In accordance with the federal grant requirements, the agency shall establish, and identify candidates for appointment by the Governor to a planning committee that includes members from: (i) state government; counties, cities, and towns; and institutions of public education and health within Virginia; and (ii) suburban, rural, and high-population jurisdictions. No less than half of the members shall have substantial professional experience in cybersecurity or information technology. The Chief Information Officer of the Commonwealth, or the Chief Information Security Officer as designee, shall be the chair of the planning committee. Staffing for the planning committee shall be provided by the agency. In addition, the agency shall: (i) develop a cybersecurity plan, present such plan to the planning committee for approval, and submit such plan to the appropriate federal officials in compliance with the federal program requirements; (ii) propose priorities for grant funding for the planning committee's consideration and approval, and in establishing priorities, the committee shall consider the needs of local school divisions; (iii) approve, manage, and allocate grant funding once received, ensuring that the grants fit within the priorities approved by the planning committee; and (iv) report on program's activities to the House Appropriations Committee and the Senate Finance and Appropriations Committee by October 1 of each year of the program. To the extent permitted by federal grant guidelines, the agency may retain a portion of the federal grant funding to reimburse actual costs incurred in providing support and administration of the provisions of this paragraph.</i></p>				
93.	Not set out.			
	Total for Virginia Information Technologies Agency.		\$346,896,915	\$395,977,088
	General Fund Positions.....	2.00		2.00
	Nongeneral Fund Positions.....	237.40		240.40
	Position Level.....	239.40		242.40
	Fund Sources: General.....	\$282,252		\$282,252
	Special.....	\$10,428,054		\$10,428,054
	Internal Service.....	\$336,186,609		\$385,266,782
	TOTAL FOR OFFICE OF ADMINISTRATION.....		\$3,698,765,764	\$3,850,944,213
				\$3,851,059,031
	General Fund Positions.....	386.40		<del>389.40</del> 390.40
	Nongeneral Fund Positions.....	745.00		752.00
	Position Level.....	1,131.40		<del>1,141.40</del> 1,142.40
	Fund Sources: General.....	\$792,327,108		<del>\$789,046,713</del> \$789,161,531
	Special.....	\$21,406,431		\$21,344,231
	Enterprise.....	\$632,208,993		\$631,000,379
	Internal Service.....	\$2,098,667,578		\$2,255,397,236
	Trust and Agency.....	\$138,257,964		\$138,257,964

ITEM 93.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Dedicated Special Revenue.....	\$8,602,858	\$8,602,858		
Federal Trust.....	\$7,294,832	\$7,294,832		

ITEM 94.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**OFFICE OF AGRICULTURE AND FORESTRY**

94. Not set out.

**§ 1-11. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)**

95. Not set out.

96. Not set out.

97. Agricultural Industry Marketing, Development, Promotion, and Improvement (53200).....			\$25,870,243	<del>\$22,642,069</del> \$23,112,460
Grading and Certification of Virginia Products (53201).....	\$7,667,186	\$7,667,186		
Milk Marketing Regulation (53204).....	\$867,098	\$867,098		
Marketing Research (53205).....	\$301,714	\$301,714		
Market Virginia Agricultural and Forestry Products Nationally and Internationally (53206).....	\$4,920,038	\$4,961,701		
Agricultural Commodity Boards (53208).....	\$7,716,368	<del>\$6,946,531</del> \$7,416,922		
Agribusiness Development Services and Farmland Preservation (53209).....	\$4,397,839	\$1,897,839		
Fund Sources: General.....	\$12,322,168	<del>\$9,093,994</del> \$9,564,385		
Special.....	\$158,125	\$158,125		
Trust and Agency.....	\$7,120,404	\$7,120,404		
Dedicated Special Revenue.....	\$5,548,648	\$5,548,648		
Federal Trust.....	\$720,898	\$720,898		

Authority: Title 3.2, Chapters 1, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 30, 32, 34, 35; Title 28.2, Chapter 2; and Title 61.1, Chapter 4, Code of Virginia.

A. Agricultural Commodity Boards shall be paid from the special fund taxes levied in the following estimated amounts:

1. To the Tobacco Board, \$143,000 the first year and \$143,000 the second year.
2. To the Corn Board, \$390,000 the first year and \$390,000 the second year.
3. To the Egg Board, \$210,000 the first year and \$210,000 the second year.
4. To the Soybean Board, \$1,164,000 the first year and \$1,164,000 the second year.
5. To the Peanut Board, \$320,000 the first year and \$320,000 the second year.
6. To the Cattle Industry Board, \$800,000 the first year and \$800,000 the second year.
7. To the Virginia Small Grains Board, \$400,000 the first year and \$400,000 the second year.
8. To the Virginia Horse Industry Board, \$320,000 the first year and \$320,000 the second year.
9. To the Virginia Sheep Industry Board, \$35,000 the first year and \$35,000 the second year.
10. To the Virginia Potato Board, \$25,000 the first year and \$25,000 the second year.
11. To the Virginia Cotton Board, \$180,000 the first year and \$180,000 the second year.
12. To the State Apple Board, \$150,000 the first year and \$150,000 the second year.

B. Each commodity board is authorized to expend funds in accordance with its authority as stated in the Code of Virginia. Such expenditures will be limited to available revenue levels.

ITEM 97.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C.	Each commodity board specified in this Item shall provide an annual notification to its excise tax paying producers which summarizes the purpose of the board and the excise tax, current tax rate, amount of excise taxes collected in the previous tax year, the previous fiscal year expenditures and the board's past year activities. The manner of notification shall be determined by each board.			
D.	Out of the amounts in this Item shall be paid from certain special fund license taxes, license fees, and permit fees levied or imposed under Title 28.2, Chapters 2, 3, 4, 5, 6 and 7, Code of Virginia, to the Virginia Marine Products Board, \$402,543 and two positions the first year and \$402,543 and two positions the second year.			
E.	Out of the amounts in this Item, \$2,782,245 the first year and <del>\$2,012,408</del> \$2,482,799 the second year from the general fund shall be deposited to the Virginia Wine Promotion Fund as established in § 3.2-3005, Code of Virginia.			
F.	Out of the amounts in this Item, \$250,000 the first year and \$1,000,000 the second year from the general fund shall be deposited to the Virginia Farmland Preservation Fund established in § 3.2-201, Code of Virginia. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.			
G.	Out of the amounts in this Item, the Commissioner is authorized to expend from the general fund amounts not to exceed \$25,000 the first year and \$25,000 the second year for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.			
H.	Out of the amounts in this Item, the Commissioner is authorized to expend \$1,120,226 the first year and \$1,120,226 the second year from the general fund for the promotion of Virginia's agricultural products overseas. Such efforts shall be conducted in concert with the international offices opened by the Virginia Economic Development Partnership.			
I.	Out of the amounts in this Item, \$25,000 the first year and \$25,000 the second year from the general fund shall be provided to support 4-H and Future Farmers of America youth participation educational costs at the State Fair of Virginia. These funds shall not be used for administrative costs by the State Fair.			
J.	Out of the amounts in this item, \$250,000 the first year from the general fund shall be provided in support of critical infrastructure upgrades at the Holiday Lake 4-H Center.			
K.	Out of the amounts in this item, \$3,125,000 the first year and \$125,000 the second year from the general fund is provided for the Department to operate the Virginia Food Access Investment Program consistent with the provisions of House Bill 1509 and Senate Bill 1073 of the 2020 Session of the General Assembly.			
98.	Not set out.			
99.	Not set out.			
100.	Not set out.			
101.	Not set out.			
102.	Not set out.			
103.	Not set out.			
104.	Not set out.			
105.	Not set out.			
106.	Not set out.			
106.10	Not set out.			

ITEM 106.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Total for Department of Agriculture and Consumer Services.....			\$82,112,579	<del>\$81,028,948</del> \$81,499,339
General Fund Positions.....	344.00	349.99		
Nongeneral Fund Positions.....	214.00	219.01		
Position Level.....	558.00	569.00		
Fund Sources: General.....	\$43,871,662	<del>\$42,788,031</del> \$43,258,422		
Special.....	\$7,347,613	\$7,347,613		
Trust and Agency.....	\$7,288,394	\$7,288,394		
Dedicated Special Revenue.....	\$10,464,327	\$10,464,327		
Federal Trust.....	\$13,140,583	\$13,140,583		
107. Not set out.				
107.10 Not set out.				
108. Not set out.				
109. Not set out.				
110. Not set out.				
TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY.....			\$122,155,197	<del>\$122,362,223</del> \$122,832,614
General Fund Positions.....	512.59	518.58		
Nongeneral Fund Positions.....	337.41	342.42		
Position Level.....	850.00	861.00		
Fund Sources: General.....	\$64,801,208	<del>\$65,008,234</del> \$65,478,625		
Special.....	\$21,483,784	\$21,483,784		
Trust and Agency.....	\$7,394,932	\$7,394,932		
Dedicated Special Revenue.....	\$11,044,537	\$11,044,537		
Federal Trust.....	\$17,430,736	\$17,430,736		

ITEM 111.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**OFFICE OF COMMERCE AND TRADE**

**§ 1-12. SECRETARY OF COMMERCE AND TRADE (192)**

111. Not set out.

**§ 1-13. SECRETARY OF LABOR (195)**

111.10	Administrative and Support Services (79900).....			\$0	\$599,192
	General Management and Direction (79901).....	\$0	\$599,192		
	Fund Sources: General.....	\$0	\$599,192		

A.1. Pursuant to the provisions of House Bill 2321 of the 2021 General Assembly, there is hereby created a new Secretary of Labor effective July 1, 2021. Included in this item is funding for the salary of the Secretary of Labor and authorization for four positions. The Secretary shall be responsible to the Governor for the following agencies: Department of Labor and Industry, Virginia Employment Commission, and Department of Professional and Occupational Regulation. Effective July 1, 2021, the appropriations and positions of the agencies listed in this section shall be transferred from the Secretary of Commerce and Trade to the Secretary of Labor. The Governor, by executive order, may assign any state executive agency to the Secretary of Labor or reassign any agency to another Secretary. In addition, the Governor is hereby authorized to transfer positions and associated funding from agencies within the new Secretariat to the office of said Secretary up to a maximum of four positions.

2. Pursuant to the provisions of House Bill 2321 of the 2021 General Assembly any budgetary item acted on by the 2021 General Assembly pertaining to the Chief Workforce Development Advisor shall be transferred to this new Secretariat, accordingly. This includes provisions contained under Items 52 and 111 of this act.

3. The Director, Department of Planning and Budget, shall include implementation of the actions set forth in this item in the Budget Bill submitted to the 2022 Session of the General Assembly.

B.1. The Chief Workforce Development Advisor to the Governor/Secretary of Labor in coordination with the Secretary of Administration, Secretary of Finance, and Secretary of Commerce and Trade shall convene a workgroup to review the Commonwealth's state public works payment process to contractor employees. The workgroup shall identify and make process improvement recommendations to correct any identified issues with the intent to put forward a comprehensive legislative and budgetary package for consideration in the 2022 General Assembly Session.

2. The workgroup shall consist of the Commonwealth's Chief Workforce Advisor to the Governor/Secretary of Labor, 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 agencies deemed relevant by the their corresponding cabinet official, which may include the Department of General Services, Department of Small Business and Supplier Diversity, Department of Labor and Industry, Department of Professional and Occupational Regulation, Virginia Employment Commission, Virginia Worker's Compensation Commission, and Department of Taxation. It is the intent of the General Assembly that the representatives on this workgroup shall be representative of all perspectives to protect workers engaged on state contracts and to balance financial and workload impacts for state agencies.

3. The Chief Workforce Advisor/Secretary of Labor shall submit a final report to the

ITEM 111.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Chairs of the House Appropriations and General Laws Committees, and Senate Finance and Appropriations and General Laws and Technology Committees on or before October 1, 2021.				
4. In making recommendations for its October 2021 report, the workgroup shall consider the findings, recommendations, and insights from the initiatives established in Item 82 of this act, and paragraphs C. and D. of this item. Among other things the workgroup shall, examine the procurement, wage theft, worker misclassification, and prevailing wage laws in offering potential recommendations for legislation and budgetary actions in the 2022 General Assembly Session that can address prevention and enforcement of the state's labor laws on capital construction projects. The workgroup shall provide state fiscal impact estimates by fiscal year and fund source for any recommendation contained in its final report to ensure the General Assembly understands the costs of these recommendations prior to the start of the 2022 General Assembly Session. Additionally, the workgroup shall discuss ideas to incentivize positive business behavior by general contractors, models that require subcontractors to get authorization prior to outsourcing any work on state contracts, such as the one deployed by the Virginia Military Institute, and data collection and verification of employee payrolls for independent contractors working on state contracts.				
5. Initial ideas from the workgroup are implemented in paragraphs C. and D. of this item. The workgroup may make recommendations to continue, stop, or modify these items in its final report.				
C.1. The Secretary of Commerce and Trade, the Secretary of Administration, the Secretary of Finance, and the Chief Workforce Development Advisor/Secretary of Labor, with the assistance of their relevant agencies shall work to establish a state government infrastructure to identify and investigate potential worker misclassification and wage theft issues on the Commonwealth's capital construction projects. The infrastructure shall include an initial resolution process for project owners to work with the prime contractor. If the identified matter cannot be resolved with the initial step, it shall be referred to the Secretary of Finance and the Chief Workforce Development Advisor/Secretary of Labor to direct the claim to the agency with the appropriate statutory authority to launch an investigation. The investigating agency shall notify the Secretary of Finance and the Chief Workforce Development Advisor/Secretary of Labor of any violation committed by the contractor. This includes issues of wage theft and worker misclassification. The Secretary of Finance or the Chief Workforce Development Advisor/Secretary of Labor shall notify the appropriate project owner of such violation of the state's worker misclassification or wage theft laws by a contractor performing work on a state project. The agency finding such violation occurred shall address the matter pursuant to the applicable provisions under the law, which may include debarment by the Department of Taxation under the state's worker misclassification laws. The project owner shall take appropriate contractual remedies to address the violation in addition to those pursued by the investigating agency.				
2. The Secretary of Commerce and Trade and the Chief Workforce Development Advisor/Secretary of Labor, will identify, or develop its own, national and state labor laws training program for the Commonwealth's capital project managers. The Department of General Services, and institutions of higher education with capital outlay autonomy, shall include in their construction of administration procedures a requirement that project managers that oversee capital projects complete the training by July 1, 2023. The Secretary of Administration and the Chief Workforce Development Advisor/Secretary of Labor shall ensure any state employee who oversees capital outlay construction projects take an online or face to face course on national and state labor laws related to construction projects by July 1, 2023. The Secretary of Commerce and Trade shall report to the Governor, Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee costs to implement and support this professional development training on or before September 1, 2021, or include these costs in the report required in paragraph B. of this item.				
3. In implementing the provisions of paragraph C. of this item, the Chief Workforce Development Advisor/Secretary of Labor shall develop legislative recommendations and implementation procedures that require the Department of Labor and Industry, the Virginia Employment Commission, the Department of Occupational Regulation, and the Workers Compensation Commission to debar contractors for workplace-related violations. These recommendations shall be reviewed and incorporated into the final report of the workgroup created in paragraph B.1. of this item.				



ITEM 111.10.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

D.1. The Secretary of Commerce and Trade, Secretary of Administration, the Secretary of Finance and the Chief Workforce Development Advisor/Secretary of Labor shall convene an interagency taskforce to meet regularly to share data on any recent substantiated findings of worker misclassification and wage theft issues in the Commonwealth including any on state capital projects. For any such findings identified that pertain to public bodies the taskforce will provide its findings to the State Inspector General for further investigation. The taskforce shall include representatives from the Department of Labor and Industry, the Department of Professional and Occupational Regulation, the Virginia Employment Commission, and the Virginia Worker's Compensation Commission. The taskforce may consider signing a data sharing agreement or Memorandum of Understanding to share information on employers who are currently being investigated or found guilty of unlawful business practices, such as wage theft and worker misclassification.

2. The taskforce shall recommend measures to improve transparency for construction contractors on public works projects, which may include requiring all contractors for public works to submit on a monthly or biweekly basis certified payrolls for employees, certified payrolls for independent contractors, and the number of employees and independent contractors present on the worksite. These recommendations shall be reviewed and incorporated into the final report of the workgroup created in paragraph B.1. of this item.

3. The taskforce shall advise the public works process workgroup in paragraph B.1. of this item on topics including the implementation status of Virginia's new labor laws on worker misclassification and wage theft, and other relevant ideas to preventing and enforcing wage theft and worker misclassification on state capital construction projects including those contained in paragraph 2. above.

E.1. The Office of the Chief Workforce Advisor/Secretary of Labor shall convene a workgroup that includes representatives from the Departments of Education, Social Services, Professional and Occupational Regulation, Health Professions; the Health Workforce Development Authority; Office of Diversity, Equity, and Inclusion; the Virginia Community College System; Commonwealth Catholic Charities, Catholic Charities; Migration and Refugee Services; International Rescue Committee; Church World Services; Lutheran Social Services; Ethiopian Development Council; NoVA Friends of Refugees; ReEstablish Richmond; local one-stop career centers that have experience serving refugees; an employer; and at least one refugee or special immigrant visa holder. The workgroup shall identify barriers that recent refugees in Virginia face to entering the workforce; assess participation in adult education and workforce training programs; compare, to the extent practicable, the current employment of recent refugees to that of their employment, including any occupational and professional credentials and academic degrees earned, prior to resettling in the United States; and identify the top occupations that recent refugees seek to work in Virginia and make recommendations for addressing any barriers that prevent them from using their work experience gained outside of the United States to obtaining employment in these occupations in Virginia.

2. The Chief Workforce Advisor/Secretary of Labor shall submit a report containing the recommendations of the workgroup on or before November 1, 2021 to the Chairs of the House Committee on Labor and Commerce and the Senate Committee on Commerce and Labor.

*F.1. The Secretary of Labor shall prioritize improvements and modernization of the Virginia Employment Commission (VEC) as outlined in the November 2021 JLARC Report, "Operations and Performance of the Virginia Employment Commission," including an analysis of the report's 40 recommendations and 10 policy options. Emphasis shall be placed on improving customer service and interactions with the public in the immediate time frame while still dealing with pandemic-related issues and long-range plans to improve the transparency of processes and services. Additional focus shall be placed on (i) overall funding and management of the Unemployment Insurance (UI) trust fund; (ii) reviewing benefit levels for income replacement; (iii) ensuring appropriate staffing levels and well-trained personnel; and (iv) addressing technology needs. The current backlog of 2020 and 2021 claims shall be expedited for resolution immediately, including but not limited to resolving any outstanding claims; accounting for*

ITEM 111.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>overpayments or inappropriate payments; and improving processes to prevent fraud and better identify valid claims.</i>				
<i>2. The Secretary of Labor shall competitively procure a national firm with expertise in evaluating the efficiency of an organization's staffing structure, delegation of staff duties, and work processes to conduct a comprehensive efficiency review of the UI operations of the Virginia Employment Commission to (i) identify specific actions that could be taken to improve the efficiency of VEC's UI operations, including through more efficient and effective use of staff and technology; (ii) recommend improvements to the agency's staffing and workflows to most effectively use existing federal funding for UI operations; and (iii) determine whether current funding is adequate to ensure effective UI operations. The Secretary shall issue an interim report of its findings and recommendations to the General Assembly no later than December 1, 2022, and a final report no later than September 1, 2023.</i>				
Total for Secretary of Labor.....			\$0	\$599,192
General Fund Positions.....	0.00	4.00		
Position Level.....	0.00	4.00		
Fund Sources: General.....	\$0	\$599,192		

**§ 1-14. SECRETARY OF COMMERCE AND TRADE (192)**

**Economic Development Incentive Payments (312)**

112.	Economic Development Services (53400).....			\$70,491,733	\$75,915,483 \$98,085,483
	Financial Assistance for Economic Development (53410).....	\$70,491,733	\$75,915,483 \$98,085,483		
	Fund Sources: General.....	\$70,341,733	\$75,765,483 \$97,935,483		
	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

ITEM 112.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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, \$4,946,900 the first year and \$4,381,900 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.				
C. Out of the appropriation for this Item, \$3,000,000 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.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.				
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.				
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				

ITEM 112.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	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.			
	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.			
	H. Out of the appropriation in this Item, \$8,000,000 the first year and \$8,000,000 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.			
	I. Out of the appropriation in this Item, \$5,310,000 the first year and \$5,190,000 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.			
	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 § 59.1-284.33, Code of Virginia.			
	K.1. Out of the appropriation in this Item, \$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 § 59.1-284.36, Code of Virginia.			
	2. Of the amounts deposited to the fund, \$2,500,000 the second year may be awarded as grants to a qualified pharmaceutical company in a qualified locality pursuant to § § 59.1-284.35 and 59.1-284.36, Code of Virginia.			
	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 § 59.1-284.37, Code of Virginia.			
	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 § 59.1-284.34, Code of Virginia.			
	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.			
	N. Out of the appropriation in this Item, \$5,625,000 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants to a qualified technology company in a qualified locality in accordance with Senate Bill 1156 of the 2021 General Assembly, Special Session I and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.			
	O.1. Out of the amounts in this item, \$10,000,000 the second year from the general fund shall be provided to the City of Petersburg for expenses incurred from the installation of a water tank and associated infrastructure at a chemical plant complex in the city. The water tank and associated infrastructure shall be adequate to ensure the water pressure can support the minimum fire protection and manufacturing needs of a regional pharmaceutical			

ITEM 112.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

manufacturing cluster.

2: Disbursement of these funds shall require an executed memorandum of understanding with the Virginia Economic Development Partnership and the City of Petersburg by a pharmaceutical manufacturer that sets forth the requirements for capital investments and the creation of new full-time jobs. Such requirements shall include at a minimum, new capital investments of \$105,800,000 and the creation of 88 new full-time jobs in the City of Petersburg.

3: Disbursement of these funds is contingent upon the City of Petersburg executing a loan through the Department of Environmental Quality's Virginia Clean Water Revolving Loan Fund to address sewer improvements at the chemical plant complex. The amount of the loan shall be sufficient to provide water and sewer improvements necessary to sustain a regional pharmaceutical manufacturing cluster, including the construction of a pump station that will substantially increase sewer capacity.

P: Out of the appropriation in this item, \$6,330,000 the second year from the general fund shall be deposited to a special, nonreverting fund for the award of grants to a qualified shipping and logistics company in a qualified locality in accordance with House Bill 5001 of the 2021 General Assembly, Special Session I and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.

Q. Notwithstanding any provisions of § 30-310, Code of Virginia, the MEI Commission shall only be required to review economic development incentive packages in which a business relocates or expands its operations in one or more Virginia localities and simultaneously closes its operations or substantially reduces the number of its employees in another Virginia locality that exceed \$250,000 in aggregate incentive investments.

*R.1. Out of the amounts in this Item, \$8,500,000 the second year from the general fund shall be provided to the County of Wythe for expenses related to the installation of a water tank in Progress Park, wastewater treatment plant improvements, and wastewater line extensions in the County. The improvements are meant to enhance infrastructure for businesses in Progress Park and properties in the surrounding area, including a nitrile butadiene rubber production plant and a medical-grade glove manufacturing facility (together, the "New Businesses") in Progress Park.*

*2. Disbursement of these funds shall be at the discretion of the Virginia Economic Development Partnership Authority, based upon arrangements with the County of Wythe and the New Businesses setting forth the terms and conditions of the distribution to the County of Wythe and any expected repayment, should the New Businesses fall short of their promises to invest at least \$714.1 million at Progress Park, and to create at least 2,464 new jobs that pay an average annual wage of at least \$37,321 related to their operations at Progress Park.*

*S.1. Out of this appropriation, \$15,000,000 the second year from the general fund shall be deposited to the Property Analytics Firm Infrastructure Fund for expenses related to public infrastructure improvements, including commuter access and parking, pedestrian access, roadway and traffic improvements, safety enhancements, site preparation and utilities in the City of Richmond (the City). These improvements will serve the existing and proposed facilities for a real property analytics firm (the Company) located in the City, the employees of the firm, and other visitors to the vicinity of the facilities.*

*2. Disbursement of these funds shall be based upon an agreement (the Agreement) between the City, the Company and the Virginia Economic Development Partnership Authority setting forth the terms and conditions of the distribution of funds to the City and any expected repayment should the Company fall short of its promises to invest at least \$460,500,000 at the facilities, and to create at least 1,984 new jobs that pay an average annual wage of at least \$85,000 related to its operations at the facilities.*

*3. There is hereby created a nonreverting fund to be known as the Property Analytics Firm Infrastructure Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated to the Fund shall be paid into the Fund and credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall*

ITEM 112.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p><i>be used for the purpose to pay or reimburse the costs of the public infrastructure improvements pursuant to paragraph S.1. of this item. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller pursuant to paragraph S.5. of this item.</i></p> <p><i>4. The Company shall provide evidence, satisfactory to the Secretary of Commerce and Trade, annually of (i) the aggregate number of new full-time jobs in place as of the last day of each calendar year and (ii) the aggregate amount of the capital investment made as of the last day of each calendar year. The application and evidence shall be filed with the Secretary in person, by mail, or as otherwise agreed upon in the memorandum of understanding by no later than April 1 each year reflecting performance in and through the prior calendar year. The Virginia Economic Development Partnership Authority will use this information to calculate the extent to which the Company may owe a repayment of the funds expended from the Fund, should there be a shortfall from the targeted capital investment or new jobs required by paragraph S.2. Any required repayment of funds should be deposited into the general fund.</i></p> <p><i>5. Disbursement of moneys from the Fund shall be at the request of the Secretary of Commerce and Trade and the Virginia Economic Development Partnership Authority, based upon arrangements with the City and the Company in the Agreement.</i></p> <p><i>6. The Company shall make available to the Secretary of Commerce and Trade for inspection, upon request, all documents relevant and applicable to determining compliance with the terms and conditions of the Agreement. All such documents appropriately identified by the Company shall be considered confidential and proprietary.</i></p> <p><i>T.1. Out of this appropriation, \$15,000,000 the second year from the general fund shall be provided to the Virginia Commercial Space Flight Authority (Virginia Space) for expenses related to the construction of a 20,000 square foot shell building at the Wallops Island Flight Facility. The funding provided in this paragraph shall be used for clearing and grading the site, making necessary infrastructure improvements, and building construction.</i></p> <p><i>2. Disbursement of these funds shall be at the discretion of the Virginia Economic Development Partnership Authority, based upon an agreement between Virginia Space and a guided missile and space vehicle parts manufacturing company (the Company) setting forth the terms and conditions of the distribution to Virginia Space and any expected repayment, should the Company fall short of their promises to invest at least \$103,000,000 and to create at least 246 new jobs that pay an annual wage of at least \$76,643 in Virginia. Prior to any expenditure of funds contained in this paragraph, the Virginia Economic Development Partnership Authority and Virginia Space shall ensure the Company has received the necessary approvals from the National Aeronautics and Space Administration for a Return to Pad landing.</i></p>				
112.10	Not set out.			
	Total for Economic Development Incentive Payments.....		\$70,491,733	\$75,915,483 \$98,085,483
	Fund Sources: General.....	\$70,341,733	\$75,765,483 \$97,935,483	
	Dedicated Special Revenue.....	\$150,000	\$150,000	
	Grand Total for Secretary of Commerce and Trade....		\$70,491,733	\$75,915,483 \$98,085,483
	Fund Sources: General.....	\$70,341,733	\$75,765,483 \$97,935,483	
	Dedicated Special Revenue.....	\$150,000	\$150,000	
<b>§ 1-15. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)</b>				
113.	Housing Assistance Services (45800).....		\$168,760,089	\$181,410,089
	Housing Assistance (45801).....	\$100,070,766	\$114,370,766	
	Homeless Assistance (45804).....	\$16,477,905	\$16,477,905	

ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Financial Assistance for Housing Services (45805).	\$52,211,418	\$50,561,418		
Fund Sources: General.....	\$89,675,897	\$74,025,897		
Special.....	\$349,976	\$349,976		
Dedicated Special Revenue.....	\$100,000	\$100,000		
Federal Trust.....	\$78,634,216	\$106,934,216		

Authority: Title 36, Chapters 8, 9, and 11; and Title 58.1, Chapter 3, Articles 4 and 13, Code of Virginia.

A. Out of the amounts in this Item, \$3,482,705 from the general fund, \$100,000 from dedicated special revenue, and \$3,427,000 from federal trust funds the first year and \$3,482,705 from the general fund, \$100,000 from dedicated special revenue, and \$3,427,000 from federal trust funds the second year shall be provided to support services for persons at risk of or experiencing homelessness and housing for populations with special needs, and \$4,050,000 the first year and \$4,050,000 the second year from the general fund shall be provided for homeless prevention. Of the general fund amount provided, the department is authorized to use up to two percent in each year for program administration. The amounts allocated for services for persons at risk of or experiencing homelessness may be matched through local or private sources. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2021, and June 30, 2022, shall not revert to the general fund but shall be carried forward and reappropriated.

B. The department shall report to the Chairmen of the Senate Finance, the House Appropriations Committees, and the Director, Department of Planning and Budget, by November 4 of each year on the state's homeless programs, including, but not limited to, the number of (i) emergency shelter beds, (ii) transitional housing units, (iii) single room occupancy dwellings, (iv) homeless intervention programs, (v) homeless prevention programs, and (vi) the number of homeless individuals supported by the permanent housing state funding on a locality and statewide basis and the accomplishments achieved by the additional state funding provided to the program in the first year. The report shall also include the number of Virginians served by these programs, the costs of the programs, and the financial and in-kind support provided by localities and nonprofit groups in these programs. In preparing the report, the department shall consult with localities and community-based groups.

C. Out of the amounts in this Item, \$1,100,000 the first year and \$1,100,000 the second year from the general fund shall be provided for rapid re-housing efforts. In keeping with the specific goals of the Balance of State Continuum of Care, \$200,000 of this amount in each year shall be focused on ensuring that no veteran is homeless or in a shelter for more than 30 days. These funds shall be used to supplement other state and federal programs, shall be directed to areas throughout the state where federal funds are not available, and shall be used to serve those veterans ineligible for federal benefits.

D. The department shall continue to collaborate with the Department of Veteran Services to ensure coordinated efforts towards reducing homelessness among veterans.

E.1. Out of the amounts in this Item, \$70,700,000 the first year and \$55,000,000 the second year from the general fund shall be deposited to the Virginia Housing Trust Fund, established pursuant to § 36-142 et seq., Code of Virginia. Notwithstanding § 36-142, Code of Virginia, when awarding grants through eligible organizations for targeted efforts to reduce homelessness, priority consideration shall be given to efforts to reduce the number of homeless youth and families and to expand permanent supportive housing. Notwithstanding § 36-142, Code of Virginia, the department may use funds appropriated in paragraph E.1. of this Item to address housing issues resulting from the COVID-19 pandemic, 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., \$28,200,000 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,

ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>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.</p>				
<p>3. As part of the plan required by § 36-142 E., Code of Virginia, the department shall also report on the impact of the loans and grants awarded through the fund, including but not limited to: (i) the number of affordable rental housing units repaired or newly constructed, (ii) the number of individuals receiving down payments and/or closing assistance, (iii) the progress and accomplishments in reducing homelessness achieved by the additional support provided through the fund, and (iv) the progress in expanding permanent supportive housing options.</p>				
<p>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).</p>				
<p>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.</p>				
<p>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.</p>				
<p>F. Out of the amounts in this Item, \$15,800,000 the first year and \$15,800,000 the second year from federal trust funds shall be provided to support Virginia affordable housing programs and the Indoor Plumbing Program.</p>				
<p>G. Out of the amounts in this Item, \$50,000 the first year and \$50,000 the second year from the general fund and one position shall be provided to support the administrative costs associated with administering the tax credits authorized pursuant to § 58.1-435, Code of Virginia.</p>				
<p>H. The department shall develop and implement strategies, that may include potential Medicaid financing, for housing individuals with serious mental illness. The department shall include other agencies in the development of such strategies including the Virginia Housing Development Authority, Department of Behavioral Health and Developmental Services, Department of Aging and Rehabilitative Services, Department of Medical Assistance Services, and Department of Social Services. The department shall also include stakeholders whose constituents have an interest in expanding supportive housing for people with serious mental illness, including the National Alliance on Mental Illness Virginia, the Virginia Housing Alliance and the Virginia Sheriff's Association. An annual report on such strategies and the progress on implementation shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by the first day of each General Assembly Regular Session.</p>				
<p>I. The Department of Housing and Community Development shall work with the Virginia Housing Commission to identify the impact of legislation that passed the 2019 session of the General Assembly that is designed to mitigate eviction rates and recommend if any further action is necessary to complement these efforts. The Department shall consider current federal, state and local resources, including but not limited to the following: (a) current counseling and social services provided by state agencies and authorities; (b) the potential needs of the cities of Richmond, Newport News, Hampton, Norfolk, and Chesapeake, as well as eviction prevention and diversion programs established in the cities of Arlington and Richmond; (c) data collected pursuant to Chapter 356, 2019 Acts of Assembly; and, (d)</p>				



ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

eviction prevention and diversion programs in other states. The Department shall analyze and recommend how to better coordinate current public and private resources and programs to reduce eviction rates in Virginia, as well as how current prevention efforts can coordinate with existing and newly created eviction diversion laws and programs.

J.1. Out of the amounts appropriated in this item, \$3,300,000 the first year and \$3,300,000 the second year from the general fund shall be used to establish a competitive Eviction Prevention and Diversion Pilot Program that will support local or regional eviction prevention and diversion programs that utilize a systems approach with linkages to local departments of social services and legal aid resources. This program shall prioritize grant applications that provide a local match at an amount deemed appropriate by the Department.

2. The resources provided in J.1. may be used to facilitate the development of a statement of tenant rights and responsibilities and implement the provisions of § 36-139 and § 55.1-1204, Code of Virginia.

K. Out of the amounts in this item, \$50,000 in the second year from the general fund is provided pursuant to the passage of House Bill 2053 in the 2021 General Assembly, which directs the Department to lead a workgroup to provide recommendations on increasing local development of accessory dwelling units on single-family dwelling lots.

*L.1. Notwithstanding the provisions of § 10.1-1330, Code of Virginia, the department shall utilize up to \$11,400,000 of unobligated balances in the Low-Income Energy Efficiency Program Fund (02017) for the purposes of providing relief to residents of Virginia that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after August 1, 2021, but before September 31, 2021, and subject to a Major Disaster Declaration (FEMA-4628-DR) issued by President Biden on October 26, 2021.*

*2. The department shall establish a program to provide flood relief to eligible applicants, which shall include individual property owners and business owners affected by a flood disaster, mudslide, or landslide. The department shall establish procedures for filing and resolving claims, which shall include measures to prevent fraud, and which may include any criteria the department determines reasonable to carry out the provisions of this paragraph. The amount of relief provided to an eligible applicant shall be equal to 175 percent of the property value for the realty that sustained major damage or represents a total loss, as defined by 7. and 8. below. The department shall award funds for estimated repairs up to the maximums contained in this paragraph for a realty that does not meet the definition of total loss or major damage, as defined by 7. and 8. below. Any payment made to an eligible applicant from this paragraph shall not exceed \$500,000 for a residential realty and \$1,000,000 for a commercial realty. If an eligible applicant owns multiple, noncontiguous properties in an area affected by the disaster in paragraph L.1. of this item, the eligible applicant may file separate claims for each parcel, and the maximums described in this paragraph shall apply to each separate claim. The department shall reduce payments by any federal or state relief or insurance payments received by the eligible applicant for property repairs or damage related to the disaster described in paragraph L.1. of this item.*

*3. Payments under paragraph L. of this item shall be subject to the availability of funds. If claims exceed available funds, the department shall make payments in the order that claims were received.*

*4. The department shall not provide relief under this section for realty that was abandoned or uninhabited at the time of the disaster described in paragraph L.1. of this item.*

*5. No recourse may be had by any person, organization, or entity against a recipient of payment under this paragraph, absent any evidence of misuse of funds. Misuse of funds shall be established by a showing that a recipient knowingly misapplied the proceeds of a payment received under this paragraph. If a showing of misuse of funds has been made, then a person may seek recourse against the recipient for an amount no greater than the extent of the payment.*

*6. Relief awarded pursuant to this paragraph is excluded from gross income and is not*

ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>subject to taxation.</i>				
7. "Total loss" means real property that has been destroyed, such that there is a total loss of the structure, the structure is not economically feasible to repair, or there is a complete failure to major structural components, such as the collapse of the basement, wall, or roof.				
8. "Major damage" means real property that has substantial failure to its structural elements, such as walls, floor, or foundation, or that has sustained damage that will take more than 30 days to repair.				
9. "Eligible applicant" means any individual property owner or business owner that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after August 1, 2021, but before September 31, 2021, and subject to a Major Disaster Declaration (FEMA-4628-DR) issued by President Biden on October 26, 2021.				
114.	Community Development Services (53300).....		\$129,238,362	<del>\$138,776,362</del> \$141,276,362
	Community Development and Revitalization (53301)			
	Financial Assistance for Regional Cooperation (53303).....	\$71,917,794	\$85,191,794	
	Financial Assistance for Community Development (53305).....	\$39,144,251	<del>\$35,408,251</del> \$37,908,251	
	Fund Sources: General.....	\$18,176,317	\$18,176,317	
	Special.....	\$99,767,590	<del>\$109,305,590</del> \$111,805,590	
	Trust and Agency.....	\$5,221,893	\$5,221,893	
	Federal Trust.....	\$150,000	\$150,000	
		\$24,098,879	\$24,098,879	

Authority: Title 15.2, Chapter 13, Article 3 and Chapter 42; Title 36, Chapters 8, 10 and 11; and Title 59.1, Chapter 22, Code of Virginia.

A. Out of the amounts in this Item, \$351,930 the first year and \$351,930 the second year from the general fund is provided for annual membership dues to the Appalachian Regional Commission. These dues are payable from the amounts for Financial Assistance for Regional Cooperation.

B. The department and local program administrators shall make every reasonable effort to provide participants basic financial counseling to enhance their ability to benefit from the Indoor Plumbing Program and to foster their movement to economic self-sufficiency.

C. Out of the amounts in this Item shall be paid from the general fund in four equal quarterly installments each year:

1. To the Lenowisco Planning District Commission, \$75,971 the first year and \$89,971 the second year, which includes \$38,610 the first year and \$38,610 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.

2. To the Cumberland Plateau Planning District Commission, \$75,971 the first year and \$89,971 the second year, which includes \$42,390 the first year and \$42,390 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.

3. To the Mount Rogers Planning District Commission, \$75,971 the first year and \$89,971 the second year.

4. To the New River Valley Planning District Commission, \$75,971 the first year and \$89,971 the second year.

5. To the Roanoke Valley-Alleghany Regional Commission, \$75,971 the first year and \$89,971 the second year.

6. To the Central Shenandoah Planning District Commission, \$75,971 the first year and

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>\$89,971 the second year.</p>			
	<p>7. To the Northern Shenandoah Valley Regional Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>8. To the Northern Virginia Regional Commission, \$151,943 the first year and \$165,943 the second year.</p>			
	<p>9. To the Rappahannock-Rapidan Regional Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>10. To the Thomas Jefferson Planning District Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>11. To the Region 2000 Local Government Council, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>12. To the West Piedmont Planning District Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>13. To the Southside Planning District Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>14. To the Commonwealth Regional Council, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>15. To the Richmond Regional Planning District Commission, \$113,957 the first year and \$127,957 the second year.</p>			
	<p>16. To the George Washington Regional Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>17. To the Northern Neck Planning District Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>18. To the Middle Peninsula Planning District Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>19. To the Crater Planning District Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>20. To the Accomack-Northampton Planning District Commission, \$75,971 the first year and \$89,971 the second year.</p>			
	<p>21. To the Hampton Roads Planning District Commission \$151,943 the first year, and \$165,943 the second year.</p>			
	<p>D. Out of the amounts in this Item, \$968,442 the first year and \$1,568,442 the second year from the general fund shall be provided for the Southeast Rural Community Assistance Project (formerly known as the Virginia Water Project) operating costs and water and wastewater grants. The department shall disburse the total payment each year in twelve equal monthly installments.</p>			
	<p>E. The department shall leverage any appropriation provided for the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources.</p>			
	<p>F.1. Out of the amounts in this Item, \$95,000 the first year and \$95,000 the second year from the general fund shall be provided for the Center for Rural Virginia. The department shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the status, needs and accomplishments of the center.</p>			
	<p>2. As part of its mission, the Center for Rural Virginia shall monitor the implementation of the budget initiatives approved by the 2005 Session of the General Assembly for rural Virginia and shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the effectiveness of these various programs in addressing</p>			

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
rural economic development problems.				
G. Out of the amounts in this Item, \$171,250 the first year and \$171,250 the second year from the general fund shall be provided to support The Crooked Road: Virginia's Heritage Music Trail.				
H. Out of the amounts in this Item, \$2,500,000 the first year and \$3,000,000 the second year from the general fund shall be deposited to the Virginia Removal or Rehabilitation of Derelict Structures Fund to support industrial site revitalization. Out of the amounts in this paragraph, \$1,000,000 the first year and \$1,500,000 the second year from the general fund is designated for removing, renovating or modernizing port-related buildings and facilities in the cities of Portsmouth, Norfolk, Newport News, Richmond or Front Royal.				
I.1. Out of the amounts in this Item, \$500,000 the first year and \$2,000,000 the second year from the general fund shall be provided for the Virginia Main Street Program. This amount shall be in addition to other appropriations for this activity.				
2. Out of the amounts provided in this paragraph, \$1,500,000 shall be used by the Department to support small businesses in order to assist with economic recovery from the COVID-19 pandemic. The Department may use these funds to support small, micro, and sole proprietor businesses, as well as women-owned and minority-owned businesses, the Community Business Launch program, and other such business support activities.				
J. Of the general fund amounts provided for the Virginia Main Street Program, the Indoor Plumbing Rehabilitation Program, and the water and wastewater planning and construction projects in Southwest Virginia, the department is authorized to use up to two percent of the appropriation in each year for program administration.				
K.1. Out of the amounts in this Item, \$875,000 the first year and \$875,000 the second year from the general fund shall be provided for the Southwest Virginia Cultural Heritage Foundation.				
2. The foundation shall report by September 1 of each year to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the expenditures of the foundation and its ongoing efforts to generate revenues sufficient to sustain operations.				
L.1. Out of the amounts in this Item, \$49,725,000 the first year and \$49,725,000 the second year from the general fund is provided for the Virginia Telecommunication Initiative. The funds shall be used for providing financial assistance to supplement construction costs by private sector broadband service providers to extend service to areas that presently are unserved by any broadband provider. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2021, and June 30, 2022, shall not revert to the general fund but shall be carried forward and reappropriated.				
2. The department shall develop appropriate criteria and guidelines for the use of the funding provided to the Virginia Telecommunication Initiative. Such criteria and guidelines shall: (i) facilitate the extension of broadband networks by the private sector, except as provided for in paragraph L.5. of this item, and shall focus on unserved areas; (ii) attempt to identify the most cost-effective solutions, given the proposed technology and speed that is desired; (iii) give consideration to proposals that are public-private partnerships in which the private sector will own and operate the completed project; (iv) consider the number of locations where the applicant states that service will be made available, in addition to whether customers take the service in both evaluating applications and in establishing completion and accountability requirements; and, (v) require investment from the private sector partner in the project prior to making any award from the fund at an appropriate level determined by the Department. The department shall encourage additional assistance from the local governments in areas designated to receive funds to lower the overall cost and further assist in the timely completion of construction, including assistance with permits, rights of way, easement and other issues that may hinder or delay timely construction and increase the cost.				
3. The department shall post electronic copies of all submitted applications to the department's website after the deadline for application submissions has passed but before project approval, and shall establish a process for providers to challenge applications where providers assert the proposed area is served by another broadband provider.				

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
4. The department shall consult with the Broadband Advisory Council to designate the unserved areas to receive funds. The department shall report annually to the Governor's Broadband Advisory Council on the progress by the private sector on the designated projects.				
5. The Department shall establish a one-year pilot program in which public broadband authorities may apply directly for Virginia Telecommunications Initiative funds without investment from the private sector. Such awards shall not exceed 10 percent of total available VATI funds in fiscal year 2022.				
M. Out of the amounts in this item, \$1,158,647 the first year and \$1,408,647 the second year from the general fund is provided for administrative support for the Virginia Telecommunications Initiative.				
N.1. Out of the amounts in this Item, \$34,450,000 the first year and \$30,000,000 the second year from the general fund shall be deposited to the Virginia Growth and Opportunity Fund to encourage regional cooperation among business, education, and government on strategic economic and workforce development efforts in accordance with § 2.2-2487, Code of Virginia.				
2. Of the amounts provided in this paragraph, the appropriation shall be distributed as follows: (i) \$2,250,000 the first year and \$2,250,000 the second year from the general fund shall be allocated to qualifying regions to support organizational and capacity building activities, which, notwithstanding § 2.2-2489, Code of Virginia, may not require matching funds if a waiver is granted by the Virginia Growth and Opportunity Board to a qualifying region upon request; (ii) \$16,900,000 the first year and \$16,900,000 the second year from the general fund shall be allocated to qualifying regions based on each region's share of the state population; and (iii) \$15,300,000 the first year and \$10,850,000 the second year from the general fund shall be awarded to regional councils on a competitive basis.				
3. The Virginia Growth and Opportunity Board may allocate monies among the distributions outlined in paragraph N.2. of this item to meet demonstrated demand for funds. However, only those regional councils whose allocation is less than \$1,000,000 in a fiscal year based on the region's share of state population shall be eligible to receive an additional allocation, and the amount shall be limited such that the total allocation does not exceed \$1,000,000 in a fiscal year.				
4. The Virginia Growth and Opportunity Board may approve grants for assessments of commercial economic development demand and current access, and to advance the planning and engineering of broadband infrastructure that are aligned with the framework recommended by the working group, established in Chapter 2, 2018 Special Session I, Acts of Assembly and shall give priority consideration for broadband technology development and deployment to facilitate the connectivity or upgrade of services to current and proposed business-ready sites in areas of high unemployment in qualifying regions.				
5. The department shall report one month after the close of each calendar quarter to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on grant awards and expenditures from the Virginia Growth and Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the fund, total grants awarded, total expenditures from the fund, cash balances, and balances available for future commitments. The report shall further summarize such amounts by the allocations provided in paragraph N.2. of this item, including amounts allocated to support organizational and capacity building activities, amounts allocated to regional councils based on each region's share of the state population, and amounts to be awarded on a competitive basis.				
O. Of the amounts in this item, \$100,000 in the first year and \$20,000 in the second year from the general fund shall be provided to the Middle Peninsula Planning District Commission for the purpose of designing and constructing a pilot elevated septic system suitable for areas susceptible to recurrent flooding in rural coastal Virginia. The Department of Health will monitor its ability to protect public health and as a potential strategy for resiliency of recurrent tidal flooding.				

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
P.1. Out of the amounts in this item, \$424,000 in the second year from the general fund is provided to support the creation of a statewide broadband map. The Department shall, in coordination with the Office of the Chief Broadband Advisor, develop a statewide broadband availability map indicating broadband coverage, including maximum broadband speeds available in service territories in the Commonwealth. The Department and Chief Advisor shall provide the initial map by July 1, 2022, or as soon as practicable, and shall update the map at least annually.				
2. Broadband service providers shall be required to submit updated service territory data to the Department annually. The Department shall establish a process, timeline, and specific data requirements for broadband providers to submit their data. All public bodies shall cooperate with the Department, or any agent thereof, to furnish data requested by the Department for the initial improvement and maintenance of the map.				
3. In no instance may the Department require broadband providers to submit any data, in either substantive content or form, beyond that which the provider is required to submit to the Federal Communications Commission pursuant to the federal Broadband Deployment Accuracy and Technological Availability Act, 47 U.S.C. § 641 et. seq., provided, however, that satellite-based broadband providers that have been designated as an eligible telecommunications carrier pursuant to 47 U.S.C. § 214(e)(6) for any portion of the Commonwealth shall be required to submit comparable data as other broadband providers. Public bodies and broadband providers shall not be required to submit any customer information, such as names, addresses, or account numbers.				
4. The Department may publish only anonymized versions of the map, showing locations served and unserved by broadband without reference to any specific provider. The map shall not include information regarding ownership or control over the network or networks providing service. The Department shall establish a process for broadband providers to petition the Department to correct inaccuracies in the map. Any determination made by the Department pursuant to any specific petition with respect to any specific map to correct inaccuracies shall be final and not subject to further review.				
5. Maps published by the Department pursuant to this section may be considered, but shall not be considered conclusive, for purposes of determining eligibility for funding for Commonwealth broadband expansion grant or loan programs, including the Virginia Telecommunication Initiative, or challenges thereto.				
6. The Department: (i) may contract with private parties to make the necessary improvements to the existing map and to maintain the map. Such private parties may include any entities and individuals selected by the Department to assist the Department in improving and maintaining such a map; (ii) shall consult existing broadband maps, particularly those published by the Federal Communications Commission; and (iii) may acquire existing, privately held data or mapping information that may contribute to the accuracy of the map.				
7. Information submitted by a broadband provider in connection with this section shall be excluded from the requirements of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). Information submitted by a broadband provider pursuant to this section shall be used solely for the purposes stated under this section and shall not be released by the Department, or any other public records custodian, without the express written permission of the submitting broadband provider.				
8. The Department shall annually evaluate federal mapping data and shall waive the requirement for broadband providers to submit territory data if a map of near identical or greater quality is made publicly available by the Federal Communications Commission as part of the federal Digital Opportunity Data Collection program or its successor. This waiver shall not be unreasonably withheld.				
9. For the purposes of the initiative outlined in paragraph P. of this item, "Broadband" means Internet access at speeds equal to or greater than the broadband Internet speed benchmark set by the Federal Communications Commission. "Broadband provider" means a provider of fixed or mobile broadband Internet access service and includes any entity required to provide the federal government with information on Federal Communications Commission Form 477 or as part of the federal Digital Opportunity Data Collection program or a provider of satellite-based broadband Internet access service that has been designated as an eligible				

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

telecommunications carrier pursuant to 47 U.S.C. § 214(e)(6) for any portion of the Commonwealth. "Chief Advisor" means the Commonwealth Broadband Chief Advisor as established in § 2.2-205.2, Code of Virginia. "Map" means the statewide broadband availability map developed and maintained pursuant to paragraph P. of this item.

Q.1. Out of the amounts in this item, \$10,000,000 the second year from the general fund is provided to establish a special, non-reverting Virginia Community Development Financial Institutions (CDFI) Fund to provide grants to community development financial institutions (CDFIs), community development enterprises (CDE), or other such similar entities as permitted by law, whose primary purpose is to provide financing in the form of loans, grants or forgivable loans to small businesses or community revitalization real estate projects in Virginia. The general funds appropriated in this paragraph constitute a one-time appropriation of funding to capitalize this program. The Fund shall consist of any funds appropriated to it by the general appropriation act and revenue from any other source, public or private. The Fund shall be established on the books of the Comptroller, and any funds remaining in the Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on the Fund shall be credited to the Fund. Of the amounts included in this paragraph, up to \$300,000 the second year from the general fund is provided to the Department for administrative costs.

2. The Department is hereby authorized to develop appropriate criteria and guidelines for the use of funding provided to the Virginia Community Development Financial Institution Fund. The Department shall award grant funding based on these criteria and guidelines and may enter into a contractual agreement with eligible CDFIs or similar private entities to make grants and loans to small businesses adversely impacted by the COVID pandemic. In developing such guidelines, the Department shall consider prioritizing state funds for CDFIs, CDEs, and other such entities that do not receive federal funding made available from the Consolidated Appropriations Act, 2021 (P.L. 116-260). An eligible qualifying CDFI shall be a community development bank, community development credit union, or other similar private entity that the Department finds is (i) established to conduct business legally within the Commonwealth; (ii) subject to oversight by federal or state financial institutions or insurance regulatory agencies, as appropriate; and (iii) eligible for certification by the U.S. Department of Treasury as a community development financial institution or other similar charter or principles which require support of small businesses.

3. The community development bank, community development credit union, or other similar organization is intended to be a source of targeted lending and investment with the capacity to provide a high degree of leverage for economic development and business support activities within communities throughout the Commonwealth. These activities may include loans and investments to start or expand small businesses, operating and working capital, property renovation or development, and financial services with a focus on small businesses impacted by the COVID pandemic. The entity may also provide services that help ensure that credit is used effectively, such as technical assistance to small businesses and credit counseling to consumers.

4. On or before December 1 of each year, the Department shall report to the Secretary of Commerce and Trade, the Governor, and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations on such other matters regarding the Fund as the Department may deem appropriate, including the amount of funding committed to projects from the Fund, or other items as may be requested by any of the foregoing persons to whom such report is to be submitted.

R. Out of the amounts in this item, \$500,000 the second year from the general fund is provided for the Lenowisco Planning District Commission and Cumberland Plateau Planning District Commission designated for initiatives intended to expand education and telehealth access. Such funds for grants shall be managed by the Virginia Coalfield Economic Development Authority.

*S.1. Out of this appropriation, \$2,500,000 the second year from the general fund is provided for the department to award grants to certified regional councils established by § 2.2-2488, Code of Virginia to identify and address business workforce needs in regional industry clusters. The department shall work with the Virginia Initiative for Growth and Opportunity Board established by § 2.2-2485, Code of Virginia, and the Office of Education and Labor Market Alignment (the Office) in the Virginia Economic*

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p><i>Development Partnership Authority established by § 2.2-2238, Code of Virginia to distribute these funds. Grant awards must be recommended by staff of the department and the Office with final approval by the GO Virginia Board.</i></p> <p><i>2. These planning grants shall support analysis on the workforce needs of regional businesses and the identification of the skills and training that can help prepare Virginians to fill available jobs in regional markets. Skills and training includes, but is not limited to, high school career and technical education, credentials, certifications, apprenticeships, internships, and other degree and non-degree programs that can help prepare individuals for career opportunities.</i></p> <p><i>3. The Office shall provide analytical support to regional councils in developing the analysis described above. As a condition of the grant, regional councils shall provide quantitative and qualitative information on current and future needs of regional businesses within the targeted industry clusters to the Office.</i></p> <p><i>4. This planning grant program shall last no longer than a year from its start date, and represent a one-time appropriation of funds for this purpose.</i></p> <p><i>5. Any funds remaining at the end of the fiscal year shall not revert to the general fund and shall be carried forward into the next fiscal year by the department for the purposes described in paragraph 5.1.</i></p>				
115.	Not set out.			
116.	Not set out.			
117.	Not set out.			
118.	Not set out.			
118.10	Not set out.			
	Total for Department of Housing and Community Development.....		\$319,693,822	\$342,131,822
	General Fund Positions.....	75.25	84.25	
	Nongeneral Fund Positions.....	60.75	77.75	
	Position Level.....	136.00	162.00	
	Fund Sources: General.....	\$208,142,878	\$202,280,878	
			\$204,780,878	
	Special.....	\$8,267,849	\$8,267,849	
	Trust and Agency.....	\$150,000	\$150,000	
	Dedicated Special Revenue.....	\$400,000	\$400,000	
	Federal Trust.....	\$102,733,095	\$131,033,095	

**§ 1-16. DEPARTMENT OF LABOR AND INDUSTRY (181)**

119.	Not set out.				
120.	Regulation of Business Practices (55200).....			\$1,898,182	\$2,019,903
	Labor Law Services (55206).....	\$1,898,182	\$2,019,903		
	Fund Sources: General.....	\$1,898,182	\$2,019,903		

Authority: Title 40.1, Chapters 1, 3, 4, and 5, Code of Virginia.

A. Out of the amounts in this item, \$421,721 the first year and \$843,442 the second year from the general fund is provided to support additional positions within the Labor and Employment Law Division, including one attorney, one supervisor, one administrative staff, and five investigators.



ITEM 120.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
B.1. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's minimum wage program, including, but not limited to, the number of (i) customer contacts concerning minimum wage, (ii) minimum wage claims processed, (iii) cases with wages collected, (iv) cases with claims ruled invalid, (v) cases with final orders issued, and (vi) cases cleared within 90 days.				
<del>2. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's earned paid sick leave program, including, but not limited to, the number of (i) customer contacts concerning earned paid sick leave, (ii) sick leave claims processed, (iii) cases with earned paid sick leave claims resolved, whether for accrual of time, use of time, notice and posting, or retaliation (iv) claims not substantiated, (v) cases taken to court, and (vi) cases cleared within 90 days, not to include cases adjudicated in court.</del>				
3. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in payment of wage program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving payment of wage complaints or proceedings, (ii) payment of wage discrimination complaints processed, (iii) meritorious complaints with payment of wage discrimination resolved with either reinstatement or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.				
4. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in worker misclassification program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving worker misclassification, (ii) discrimination in worker misclassification claims processed, (iii) meritorious complaints with worker misclassification wage discrimination resolved with either reinstatement and/or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.				
5. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's prevailing wage rate program, including, but not limited to, the number of (i) contacts from state agencies to determine the proper prevailing wage, (ii) prevailing wage determinations for the involved planning district calculated using Davis-Bacon rates for the cities and counties within the planning district, and (iii) contractor provided scale of pay and fringe benefits certified and received.				
C. Out of the amounts included in this appropriation, \$300,000 in the first year from the general fund is provided to support the labor law and state capital construction process workgroup and related infrastructure established in paragraphs B., C., and D. of Item 111.10 of this act. The funds may be used to hire outside consultants, or cover any additional costs that the Chief Workforce Development Advisor/new Secretary of Labor created by House Bill 2321, 2021 General Assembly recommends to effectuate the provisions outlined in Item 111.10 in the aforementioned paragraphs. The Director of the Department of Planning and Budget is authorized to transfer the amounts contained in this paragraph to the Chief Workforce Development Advisor/new Secretariat created by House Bill 2321, 2021 General Assembly. These funds shall not revert back to the general fund at the end of the fiscal year. These funds shall not be used or otherwise obligated for any other purpose.				
121. Not set out.				
122. Not set out.				
123. Not set out.				

ITEM 123.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
123.10	Not set out.				
	Total for Department of Labor and Industry.....			\$19,719,127	\$21,331,418
	General Fund Positions.....	134.55	134.55		
	Nongeneral Fund Positions.....	73.45	73.45		
	Position Level.....	208.00	208.00		
	Fund Sources: General.....	\$11,630,408	\$13,242,699		
	Special.....	\$1,974,282	\$1,974,282		
	Federal Trust.....	\$6,114,437	\$6,114,437		
124.	Not set out.				
125.	Not set out.				
126.	Not set out.				
126.10	Not set out.				
127.	Not set out.				
128.	Not set out.				
128.10	Not set out.				
129.	Not set out.				

**§ 1-17. VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP (310)**

130.	Economic Development Services (53400).....			\$34,802,309	<del>\$43,752,309</del> \$45,179,309
	Economic Development Services (53412).....	\$34,802,309	<del>\$43,752,309</del> \$45,179,309		
	Fund Sources: General.....	\$34,802,309	<del>\$43,752,309</del> \$45,179,309		

Authority: Title 2.2, Chapter 22, Article 4 and Chapter 51; and § 15.2-941, Code of Virginia.

A. Upon authorization of the Governor, the Virginia Economic Development Partnership may transfer funds appropriated to it by this act to a nonstock corporation.

B. Prior to July 1 of each fiscal year, the Virginia Economic Development Partnership shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget a report of its operational plan. Prior to November 1 of each fiscal year, the Partnership shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all partnership employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.

C. In developing the criteria for any pay for performance plan, the board shall include, but not be limited to, these variables: 1) the number of economic development prospects committed to move to or expand operations in Virginia; 2) dollar investment made in Virginia for land acquisition, construction, buildings, and equipment; 3) number of full-time jobs directly related to an economic development project; and 4) location of the project. To that end, the pay for performance plan shall be weighted to recognize and reward employees who successfully recruit new economic development prospects or cause existing prospects to expand operations in localities with fiscal stress greater than the statewide average. Fiscal Stress shall be based on the Index published by the Commission on Local Government. If a prospect is physically located in more than one contiguous locality, the highest Fiscal Stress

ITEM 130.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Index of the participating localities will be used.				
D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director, Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.				
E. The Virginia Economic Development Partnership shall provide administrative and support services for the Virginia Tourism Authority as prescribed in the Memorandum of Agreement until July 1, 2022, or until the authority is able to provide such services.				
F. The Virginia Economic Development Partnership shall report one month after the close of each quarter to the Chairmen of the Senate Finance and House Appropriations Committees on the Commonwealth's Development Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the fund, total grants awarded, cash balances, and balances available for future commitments.				
G. Prior to purchasing airline and hotel accommodations related to overseas trade shows, the Virginia Economic Development Partnership shall provide an itemized list of projected costs for review by the Secretary of Commerce and Trade.				
H.1. Out of the amounts in this Item, \$2,250,000 in the first year and \$2,250,000 in the second year from the general fund shall be deposited in the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund established pursuant to § 10.1-1237, Code of Virginia.				
2. Guidelines developed by the Virginia Economic Development Partnership, in consultation with the Department of Environmental Quality, governing the use of the Fund shall provide for grants of up to \$500,000 for site remediation and include a requirement that sites with potential for redevelopment and economic benefits to the surrounding community be prioritized for consideration of such grants.				
I. Any requests for administrative or staff support for the Committee on Business Development and Marketing or the Committee on International Trade established to advise the Virginia Economic Development Partnership shall be directed to, and are subject to the approval of, the Chairman or the Chief Executive Officer of the Virginia Economic Development Partnership.				
J.1. Out of the amounts in this item, \$5,020,387 the first year and \$7,370,387 the second year from the general fund is provided to support the development of a workforce program to provide training and recruitment services to select companies locating or expanding in the Commonwealth.				
<i>2. Out of the amounts in this item, \$1,427,000 the second year from the general fund is provided for expenses related to recruitment and training services for the benefit of the operators of a nitrile butadiene rubber production plant and a medical-grade glove manufacturing facility slated for development in Progress Park in the County of Wythe. The authority shall administer the funds contained in this paragraph in accordance with the provisions of Chapter 731 and Chapter 746 of the 2022 Acts of Assembly. This funding is supplemental to the funds provided in Paragraph J.1. and shall not be included in any base budget for the Virginia Talent Accelerator Program.</i>				
K. Out of the amounts in this item, \$562,500 the first year and \$5,562,000 the second year from the general fund is provided to characterize, inventory, and develop economic sites in the Commonwealth.				
L.1. Out of the amounts in this Item, \$500,000 the second year from the general fund is provided to establish the Office of Education and Labor Market Alignment in accordance with Senate Bill 1314 of the 2021 General Assembly, Special Session I.				
2. Notwithstanding any provision of law, the Office of Labor Market Alignment (the Office) shall serve as a resource for education and workforce programs administered by state government to better inform programmatic decisions on workforce education and training. Additionally, the Office shall serve as a guide and resource for the Governor and the General Assembly in determining strategic education and workforce investments in				

ITEM 130.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
current and future education and workforce training programs with a particular focus on those programs supported with state general fund dollars. The Office shall communicate relevant information in a clear and concise manner to better enable policy makers and decision makers to navigate the complex, often confusing connections between education and the labor market.				
3. The Virginia Economic Development Partnership shall include in its annual report, due on November 1st of each year, an update on the activities of the Office of Labor Market and Alignment.				
M. Out of the amounts in this Item, \$1,100,000 the second year from the general fund is provided to support implementation of Virginia's International Trade Plan. Out of the amounts provided in this paragraph, \$330,000 shall be used to increase Virginia's capacity to leverage federal trade funding, and \$370,000 shall be used to support businesses with supply chain security. The remaining funds shall be used to expand current trade programs managed by the Partnership including the Virginia Leaders in Export Trade program.				
130.10	Not set out.			
	Total for Virginia Economic Development Partnership.....		\$34,802,309	\$43,752,309 \$45,179,309
	Fund Sources: General.....	\$34,802,309	\$43,752,309 \$45,179,309	
131.	Not set out.			
132.	Not set out.			
133.	Not set out.			
134.	Not set out.			
134.10	Not set out.			
135.	Not set out.			
	TOTAL FOR OFFICE OF COMMERCE AND TRADE.....		\$1,153,560,612	\$1,218,093,176 \$1,244,190,176
	General Fund Positions.....	421.23	444.23	
	Nongeneral Fund Positions.....	1,301.77	1,318.77	
	Position Level.....	1,723.00	1,763.00	
	Fund Sources: General.....	\$398,108,768	\$462,547,996 \$488,644,996	
	Special.....	\$54,544,018	\$29,544,018	
	Commonwealth Transportation.....	\$1,640,575	\$1,640,575	
	Trust and Agency.....	\$549,733,725	\$546,529,069	
	Dedicated Special Revenue.....	\$25,068,898	\$25,066,890	
	Federal Trust.....	\$124,464,628	\$152,764,628	

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**OFFICE OF EDUCATION**

136. Not set out.

**§ 1-18. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)**

137.	Instructional Services (18100).....			\$32,179,146	\$262,761,801
	Public Education Instructional Services (18101).....	\$12,605,662	\$12,813,662		
	Program Administration and Assistance for Instructional Services (18102).....	\$17,985,714	\$248,360,369		
	Adult Education and Literacy (18104).....	\$1,587,770	\$1,587,770		
	Fund Sources: General.....	\$10,474,990	\$10,582,990		
	Special.....	\$300,000	\$300,000		
	Commonwealth Transportation.....	\$279,612	\$279,612		
	Trust and Agency.....	\$5,000	\$5,000		
	Federal Trust.....	\$21,119,544	\$251,594,199		

Authority: Public Education Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L.108-447, P.L. 102-305, Federal Code.

Program Administration and Assistance for Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, P.L. 102-305, Federal Code.

Compliance and Monitoring of Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, Federal Code.

Adult Education and Literacy: §§ 2.2-2472, 22.1-223-226, 22.1-253.13:1, 22.1-254.2, Code of Virginia; P.L. 105-220, Federal Code.

A. The Superintendent of Public Instruction is encouraged to implement school/community team training.

B. The Superintendent of Public Instruction shall provide direction and technical assistance to local school divisions in the revision of their Vocational Education curriculum and instructional practices.

C. The Superintendent of Public Instruction, in cooperation with the Commissioner of Social Services, shall encourage local departments of social services and local school divisions to work together to develop cooperative arrangements for the use of school resources, especially computer labs, for the purpose of training Temporary Assistance for Needy Families (TANF) recipients for the workforce.

D. Notwithstanding § 4-1.04 a 3 of this act, the Superintendent of Public Instruction may apply for grant funding to be used by local school divisions consistent with the provisions of Chapter 447, 1999 Acts of Assembly. The nongeneral fund appropriation for this agency shall be adjusted by the amount of the proceeds of any such grant awards.

E. 1. Out of the appropriations in this item, \$1,300,000 the first year and \$1,300,000 the second year from the general fund is provided to support students and teachers pursuing information technology industry certifications. The funding shall be used to provide outreach, training, instructional resources, industry recognized certification opportunities for teachers and students enrolled in Virginia public high schools and regional career and technical education programs, and information technology curriculum resources for use by students' parents.

2. The funds provided in this initiative shall be used to support the following priority objectives: a) increase the percentage of students enrolled in career and technical education courses who receive instruction in information technology leading to an increased number of students achieving industry recognized certifications in information technology; b) increase the number of high schools and regional career and technical education programs that receive the training and technical support to be ready to implement information technology curricula leading to increased statewide

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
implementation and use; c) increase the number of teachers teaching targeted career and technical education courses and other high school teachers who receive training in information technology and in industry recognized certifications leading to an increased number of teachers achieving industry recognized certifications in information technology; and, d) support implementation of information technology curricula in school divisions in Southside and Southwest Virginia so that implementation in those regions is at least comparable to implementation in other regions of Virginia.				
F. Out of the appropriation in this Item, \$413,000 the first year and \$413,000 the second year from the general fund is provided for the Department of Education to continue a professional development program intended to increase the capacity of principals as school leaders in under-performing schools.				
G. Out of the appropriation in this Item, \$366,000 the first year and \$366,000 the second year from the general fund is provided to the Department of Education to assist local school divisions, as needed, to establish criteria for the professional development of teachers and principals on the subject of issues related to high-needs students.				
H. Out of this appropriation, \$1,450,000 the first year and \$1,750,000 the second year from the general fund is provided for the Virginia Kindergarten Readiness Program.				
a. Of this amount, \$1,350,000 the first year and \$1,350,000 the second year from the general fund is provided through the Department of Education to the University of Virginia to continue statewide implementation of the Virginia Kindergarten Readiness Program conducted in the fall, and to develop and implement a post-assessment upon the conclusion of the kindergarten year.				
b. The Department of Education shall coordinate with the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that all school divisions shall be required to have their kindergarten students assessed annually during the school year using the multi-dimensional kindergarten readiness assessment model. All school divisions shall be required to have their kindergarten students assessed with such model.				
c. Of this amount, \$300,000 the second year shall be allocated to the University of Virginia to support implementation of a pre-kindergarten version of the Virginia Kindergarten Readiness Program for four-year-old children enrolled in publicly-funded pre-kindergarten programs.				
d. Of this amount, \$100,000 the first year and \$100,000 the second year from the general fund shall be allocated to University of Virginia's Center for Advanced Study of Teaching and Learning to provide training to school divisions annually on how to effectively use Virginia Kindergarten Readiness Program data to improve instructional practices and student learning. Such teacher focused professional development and training shall be prioritized for the school divisions that would most benefit from state assistance in order to provide more time for classroom instruction and student learning.				
e. The Department and the University of Virginia's Center for Advanced Study of Teaching and Learning shall use the results of the multi-dimensional Virginia Kindergarten Readiness Program assessments to determine how well the Virginia Preschool Initiative promotes readiness in all key developmental domains assessed. The Department shall submit such findings using data from the prior year's fall assessment to the Chairmen of House Appropriations and Senate Finance Committees no later than October 1 each year.				
I. Out of this appropriation, \$700,000 the first year and \$700,000 the second year from the general fund is provided through the Department of Education to the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that teachers in select Virginia Preschool Initiative classrooms and publicly-funded early childhood programs receive appropriate individualized professional development training from professional development specialists to support quality teacher-child interactions and effective research-based curriculum implementation. Funding and professional development assistance shall be prioritized for teachers with Classroom Assessment Scoring System (CLASS) observation scores that did not meet the statewide minimum acceptable threshold standard established by the University of Virginia's Center for Advanced Study of Teaching and Learning and the Department of Education. The University of Virginia's Center for Advanced Study of Teaching and Learning, assisted on an as needed basis, by the Department of Education,				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Virginia Early Childhood Foundation, and Elevate Early Education to hire and train specialists to provide such individualized professional development. The University of Virginia's Center for Advanced Study of Teaching and Learning and the Training and Technical Assistance Centers funded by the Individuals with Disabilities Act (IDEA) through the Department of Education shall coordinate to ensure alignment of professional development and supports for teachers of children with special needs. In the event the University of Virginia does not require all funds from this appropriation to provide professional development, unused funds may be reallocated to cover the cost of conducting CLASS observations in publicly-funded classrooms.</p>				
<p>J. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the general fund is provided through the Department of Education to the University of Virginia to ensure that select Virginia Preschool Initiative and publicly-funded early childhood programs have the quality of their teacher-child interactions assessed through a rigorous and research-based classroom observational instrument at least once every two years using the CLASS observational instrument for such assessment. The University of Virginia, with input from the Department of Education and the use of its detailed plan for such assessments, has established a statewide minimum acceptable threshold for the quality of teacher-child interactions for Virginia Preschool Initiative classroom programs, and classrooms that are assessed below the threshold receive additional technical assistance from the Department of Education and the University of Virginia. The threshold shall be reviewed and re-affirmed no later than the beginning of the 2021-2022 school year. The University of Virginia's Center for Advanced Study of Teaching and Learning shall submit a progress report on such classroom observations to the Chairmen of House Appropriations and Senate Finance Committees no later than June 30 each year. In the event that the University of Virginia does not require all funds from this appropriation to conduct classroom observations, unused funds may be reallocated to cover the cost of providing professional development to classrooms.</p>				
<p>K. The Superintendent of Public Instruction shall convene a work group to develop and establish a plan to transfer the Child Care Development Fund grant from the Virginia Department of Social Services to the Virginia Department of Education no later than July 1, 2021. The work group shall include representatives of (i) the Secretariats of Education and Health and Human Resources; (ii) relevant state agencies, including the Department of Planning and Budget, the Office of the Attorney General, the Department of Education, and the Department of Social Services; (iii) relevant regulatory boards, including the Board of Education; and (iv) the House Committee on Appropriations and the Senate Committee on Finance and Appropriations. The goal of this transfer is to house responsibility of child care and education programs under one agency. The plan shall be submitted to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than August 15, 2020. Such plan shall confirm the funding amounts and positions that need to be transferred between the impacted agencies, and shall identify any savings or additional costs associated with the transfer of these programs. The review shall also assess any potential administrative impacts on the Department of Social Services and the Department of Education.</p>				
<p>L. 1. Out of this appropriation, \$3,055,524 the second year from nongeneral funds shall be transferred to the Department of Social Services to address costs associated with administration of the Child Care and Development Fund.</p>				
<p>2. The Department of Social Services and the Department of Education shall ensure that the Temporary Assistance for Needy Families (TANF) Virginia Initiative for Employment and Work (VIEW) mandated child care forecast is funded through a combination of general fund, TANF, and Child Care Development Fund (CCDF) grant dollars. The amount of needed CCDF dollars identified in the Memorandum of Agreement between the agencies shall be transferred from the Department of Education to the Department of Social Services within the first thirty days of the fiscal year. The Department of Social Services shall notify the Department of Education of the required amount of the next fiscal year transfer upon the enrollment of the budget. This amount shall reflect the need identified in the official forecast as well as changes resulting from actions in the final budget.</p>				
<p>M. The Department of Education, in collaboration with the Department of Social Services,</p>				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

shall prepare an annual Child Care and Development Fund (CCDF) report that reflects all CCDF expenditures from the previous fiscal year, current grant balances, as well as all anticipated spending for the current and two subsequent fiscal years. Identified spending should, at a minimum, be broken down by subsidies (mandated and discretionary), administrative costs, and quality efforts. In addition, this plan should report, by locality, the number of subsidies (mandated and discretionary) provided, number of providers receiving CCDF dollars, the overall number of child care providers, and the waitlist for services. This information should be provided the previous fiscal year, current fiscal year, and two subsequent fiscal years. The plan shall also include an appendix with the most recently completed CCDF annual report as required by the federal Office of Child Care. The department shall submit the report by October 1 of each year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. In addition, the department shall post this report on its website along with any reports from previous fiscal years.

N. The University of Virginia shall provide financial information for the last five fiscal years related to the Phonological Awareness Literacy Screening (PALS) program to the Department of Education. Such information shall include revenues and expenditures by category, and shall differentiate revenues and expenditures related to the PALS program for the benefit of (i) Virginia public school students and (ii) all other students. The Department shall submit such information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1, 2020.

O. Notwithstanding any other provision of law, the Department of Education shall have temporary authority to make any changes to the Child Care and Development Fund (CCDF) State Plan, request waivers from the federal Office of Child Care, change eligibility criteria for benefits and services, and payment levels for the Child Care Subsidy Program in response to the COVID-19 pandemic and new authorities and funding made available by the federal government to effect those policies necessary to ensure that benefits are available to eligible populations in response to COVID-19. Prior to the implementation of any change, the Department of Education must receive written approval from the Governor. Within 15 days of implementing changes in response to COVID-19, the Department of Education shall send a list of such actions to the Director of the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. The provisions of this paragraph, as well as any actions implemented under its authority, shall be in accordance with the Governor's emergency declaration for COVID-19 and be in effect for the period specified therein following the July 1, 2021, transfer of the CCDF grant from the Virginia Department of Social Services to the Virginia Department of Education.

P. The Department of Education shall conduct a review of Family Life Education in the Commonwealth. Each school division shall report to the Department on whether the division offers Family Life Education; how medical accuracy of the curriculum is determined; whether the curriculum includes instruction on a range of contraceptive options; whether instruction is provided on sexual orientation and gender identity; whether the curriculum is provided by school division staff or external organizations; and how often Family Life Education is provided. The Department shall also use the Youth Risk Behavior Survey to examine and report on any correlation that may exist between student behavior and the type of Family Life Education offered in the division. The Department shall submit a report by November 1, 2021, to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. The report shall also include best practices for teacher training and parent and community involvement.

Q. The Department of Education shall report on its progress in implementing the recommendations identified in the "Feasibility Study of Developing an Early Childhood Mental Health Consultation Program", as directed by House Joint Resolution 51 (2020), and identify any legislative, regulatory, budgetary, and other actions necessary to implement recommendations in such study. Such progress report shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1, 2021.

R. Out of this appropriation, \$52,458,428 the second year from the federal Child Care and Development Fund is provided to temporarily expand the Child Care Subsidy Program, pursuant to the passage of House Bill 2206 of 2021 Special Session I.



ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>S. Out of this appropriation, \$208,000 the second year from the general fund is provided to integrate Virginia's Career and Technical Education curriculum database and information system into the state's learning management system.</p> <p>T. The Superintendent of Public Instruction shall convene a workgroup to make recommendations on the desired qualifications and training for school personnel providing health services in schools. The workgroup shall include at least: (i) three local school division representatives, including one superintendent; (ii) two members of a local school board; (iii) school personnel providing health services, including contracted personnel from a local health department, personnel with varying levels of nursing credentials, and personnel without nursing credentials; and (iv) two members of the Board of Education. The recommendations shall be submitted to the General Assembly no later than October 1, 2021. Such recommendations shall detail any necessary legislative or budgetary changes to implement the recommendations.</p> <p>U. Notwithstanding 8VAC-20-790, the Department of Education shall not set a limit on the duration of time that families may participate in the Child Care Subsidy Program, subject to available funds.</p>				
138.	Not set out.			
139.	Not set out.			
140.	Not set out.			
141.	Not set out.			
142.	Not set out.			
143.	Not set out.			
143.10	Not set out.			
	Total for Department of Education, Central Office Operations.....		\$132,558,786	\$376,619,686
	General Fund Positions.....	151.00	158.17	
	Nongeneral Fund Positions.....	185.50	335.83	
	Position Level.....	336.50	494.00	
	Fund Sources: General.....	\$75,141,179	\$71,758,582	
	Special.....	\$5,269,257	\$5,269,257	
	Commonwealth Transportation.....	\$279,612	\$279,612	
	Trust and Agency.....	\$679,678	\$1,898,520	
	Federal Trust.....	\$51,189,060	\$297,413,715	
<b>Direct Aid to Public Education (197)</b>				
144.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....		\$39,672,445	\$45,219,426 \$45,276,402
	Financial Assistance for Supplemental Education (14304).....	\$39,672,445	\$45,219,426 \$45,276,402	
	Fund Sources: General.....	\$39,672,445	\$45,219,426 \$45,276,402	
Authority: Discretionary Inclusion.				
<b>Appropriation Detail of Educational, Cultural, Community, and Artistic Affairs (14300)</b>				

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<b>Supplemental Education Assistance Programs (14304)</b>	<b>FY 2021</b>		<b>FY 2022</b>	
Achievable Dream	\$500,000		\$500,000	
Active Learning Grants		\$0		\$250,000
American Civil War Museum	\$1,000,000			\$0
Black History Museum and Cultural Center of Virginia	\$1,300,000			\$0
Blue Ridge PBS	\$350,000			\$350,000
Career and Technical Education Regional Centers	\$660,000			\$660,000
Career and Technical Education Resource Center	\$298,021			\$298,021
Career and Technical Education Student Organizations		\$0		\$718,957
Career Council at Northern Neck Career & Technical Center	\$60,300			\$60,300
College Partnership Laboratory School	\$50,000			\$50,000
Communities in Schools (CIS)	\$1,244,400			\$1,244,400
Computer Science Teacher Training	\$550,000			\$550,000
Dual Enrollment Passport Pilots		\$0		\$250,000
Early Childhood Educator Incentive	\$3,000,000			\$5,000,000
eMediaVA		\$0		\$1,000,000
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		\$0		\$300,000
National Board Certification Program	\$5,072,500			<del>\$4,975,524</del> \$5,032,500
Newport News Aviation Academy - STEM Program	\$100,000			\$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	\$550,000			\$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

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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)	\$2,750,000			\$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
Wolf Trap Model STEM Program	\$725,000			\$725,000
<b>Total</b>	<b>\$39,672,445</b>			<b>\$45,219,426</b> <b>\$45,276,402</b>

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 \$5,072,500 the first year and ~~\$4,975,524~~ \$5,032,500 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

<b>ITEM 144.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2021</b>	<b>FY2022</b>	<b>FY2021</b>	<b>FY2022</b>

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.

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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 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 \$1,244,400 the first year and \$1,244,400 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				

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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,				

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

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

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>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.</p>				
<p>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.</p>				
<p>S. Out of this appropriation, \$2,750,000 the first year and \$6,250,000 the second year from the general fund is provided to the Virginia Early Childhood Foundation.</p>				
<p>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.</p>				
<p>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.</p>				
<p>3. Of this amount, \$1,500,000 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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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</p>				



ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>h) Pilot providers shall provide information to the Department of Education as necessary to fulfill the reporting requirement established.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>X. Out of this appropriation, \$681,975 the first year and \$681,975 the second year from</p>				

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>the general fund is provided to support a multi-platform STEM education engagement program and research study, via the Virginia Air &amp; Space Center.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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 Etrick Elementary School.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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</p>				

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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.				
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 thesecond year from the general fund shall be provided for grants to school divisionsfor encouraging active-in class, remote and hybrid 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-demandactivities that integrate math and English Standards of Learning content into movement-rich activities that can be used at school, home and on all devices (i.e. computers, tables and phones).				
LL. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the general fund is provided to Blue Ridge PBS for educational outreach programming.				
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 second 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, 2022 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.				

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>SS. Out of this appropriation, \$550,000 the first year and \$1,000,000 the second year from the general fund is provided to support pilot public-private 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.</p>				
<p>TT. Out of this appropriation, \$718,957 the second year from the general fund is provided to support Career and Technical Education Student Organizations. These Student Organizations extend Career and Technical Education in Virginia through networks of programs, business and community partnerships, and leadership experiences at the school, state, and national levels and provide Virginia students with opportunities to apply academic, technical, and employability knowledge and skills necessary in today's workforce.</p>				
<p>UU. Out of this appropriation, \$1,000,000 is provided from the general fund in the second year for the Hampton Roads Education Telecommunications Association's eMediaVA program for statewide digital content development, online learning, and related support services. All digital content produced and delivery of online learning shall meet criteria established by the Department of Education, meet or exceed applicable Standards of Learning, and be correlated to such state standards. The eMedia VA program shall incorporate consultation with division superintendents or their designated representatives to assess school divisions' needs for digital content, online learning, teacher training, and support services that advance technology integration into the K-12 classroom, as well as for additional educational resources that may be made available to school divisions throughout the Commonwealth.</p>				
<p>VV. Out of this appropriation, \$250,000 the second year from the general fund is provided for grants to support one-time pilot programs to school divisions to redesign dual enrollment course offerings to align/link to the Passport and Uniform Certificate of General Studies offered by Virginia's community colleges. Divisions awarded such grants shall collaborate with the local community college to effectively redesign the local school division's dual enrollment course offerings. Divisions applying shall include: (i) an explanation of why such dual enrollment pilot program is warranted; (ii) the dual enrollment courses currently offered by the division; (iii) the projected student enrollment in dual enrollment courses; and (iv) the number of the division's employed staff qualified to teach dual enrollment and the number currently teaching a dual enrollment course. The Department of Education may consider in the awarding of a grant: (i) the division's local composite index; (ii) the level of misalignment in the division's dual enrollment course offerings to the Passport and Uniform Certificate of General Studies; and (iii) the division's level of dual enrollment course availability and current student enrollment in those courses. The Department of Education shall report, along with the divisions and community colleges, the components of the redesign and efforts to increase availability and participation in dual enrollment courses to the General Assembly by November 1, 2022. The Department of Education and the Virginia Community College System shall use these pilot programs to provide a comprehensive guide to every school division and community college to assist with aligning high school dual enrollment course offerings to the Passport and Uniform Certificate of General Studies.</p>				
145.	State Education Assistance Programs (17800).....		\$7,743,770,876	\$8,082,601,961 \$8,037,358,288
	Standards of Quality for Public Education (SOQ) (17801).....	\$6,485,684,773	\$6,627,363,546 \$6,714,796,913	
	Financial Incentive Programs for Public Education (17802).....	\$497,164,169	\$710,320,952 \$427,361,149	
	Financial Assistance for Categorical Programs (17803).....	\$52,690,811	\$54,014,129 \$51,838,415	
	Distribution of Lottery Funds (17805).....	\$708,231,123	\$690,903,334 \$843,361,811	
	Fund Sources: General.....	\$6,817,944,753	\$7,266,333,627 \$7,135,656,818	
	Special.....	\$895,000	\$895,000	
	Commonwealth Transportation.....	\$2,100,000	\$1,470,000 \$1,544,659	

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Trust and Agency.....	\$870,231,123	\$773,903,334 \$859,261,811		
Dedicated Special Revenue.....	\$36,000,000	\$40,000,000		
Federal Trust.....	\$16,600,000	\$0		

Authority: Standards of Quality for Public Education (SOQ) (17801): Article VIII, Section 2, Constitution of Virginia; Chapter 667, Acts of Assembly, 1980; §§ 22.1-176 through 22.1-198, 22.1-199.1, 22.1-199.2, 22.1-213 through 22.1-221, 22.1-227 through 22.1-237, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.01, Code of Virginia; Title 51.1, Chapters 1, 5, 6.2, 7, and 14, Code of Virginia; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 98-524, as amended, Federal Code.

Financial Incentive Programs for Public Education (17802): §§ 22.1-24, 22.1-289.1 through 22.1-318, Code of Virginia; P.L. 79-396, as amended; P.L. 89-10, as amended; P.L. 89-642, as amended; P.L. 108-265, as amended; Title II P.L. 99-159, as amended, Federal Code.

Financial Assistance for Categorical Programs (17803): Discretionary Inclusion; Treaty of 1677 between Virginia and the Indians; §§ 22.1-3.4, 22.1-108, 22.1-199 through 22.1-212.2:2, 22.1-213 through 22.1-221, 22.1-223 through 22.1-237, 22.1-254, Code of Virginia; P.L. 89-10, as amended; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 94-588; P.L. 95-561, as amended; P.L. 98-211, as amended; P.L. 98-524, as amended; P.L. 99-570; P.L. 100-297, as amended; P.L. 102-73, as amended; P.L. 105-220, as amended, Federal Code.

Distribution of Lottery Funds (17805): §§ 58.1-4022 and 58.1-4022.1, Code of Virginia

**Appropriation Detail of Education  
Assistance Programs (17800)**

Standards of Quality (17801)	FY 2021	FY 2022
Basic Aid	\$3,467,108,109	\$3,536,922,242 \$3,345,492,183
Sales Tax	\$1,512,500,000	\$1,563,000,000 \$1,847,900,000
Textbooks ( <i>split funded</i> )	\$72,851,568	\$73,119,307 \$59,229,949
Vocational Education	\$60,508,948	\$60,443,307 \$60,261,572
Gifted Education	\$36,382,479	\$36,523,788 \$36,249,997
Special Education	\$418,622,981	\$419,818,073 \$415,428,134
Prevention, Intervention, and Remediation	\$117,973,133	\$118,181,833 \$116,300,292
English as a Second Language	\$74,642,794	\$82,592,805 \$85,457,403
VRS Retirement (includes RHCC)	\$484,558,788	\$489,390,727 \$485,343,662
Social Security	\$207,892,825	\$209,927,966 \$208,192,691
Group Life	\$14,648,748	\$14,858,510 \$14,734,453
Remedial Summer School	\$17,994,400	\$22,584,988 \$40,206,577
<b>Total</b>	<b>\$6,485,684,773</b>	<b>\$6,627,363,546</b> <b>\$6,714,796,913</b>

**Incentive Programs (17802)**

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Compensation Supplement		\$0	\$232,692,010	\$216,063,072
Governor's Schools	\$19,139,086		\$20,266,962	\$19,966,091
At-Risk Add-On (split funded)	\$107,830,098		\$147,939,452	\$0
Clinical Faculty	\$318,750		\$318,750	
Career Switcher Mentoring Grants	\$279,983		\$279,983	
Special Education - Endorsement Program	\$437,186		\$437,186	
Special Education – Vocational Education	\$200,089		\$200,089	
Virginia Workplace Readiness Skills Assessment	\$308,655		\$308,655	
Math/Reading Instructional Specialists Initiative	\$1,834,538		\$1,834,538	
Early Reading Specialists Initiative	\$1,476,790		\$1,476,790	
Breakfast After the Bell Incentive	\$1,074,000		\$1,074,000	
School Meals Expansion	\$0		\$4,100,000	\$0
Virginia Preschool Initiative - Per Pupil Amount	\$72,405,681		\$107,086,043	\$85,161,919
Early Childhood Expansion	\$0		\$26,344,868	\$17,792,977
Virginia Preschool Initiative - Provisional Teacher Licensure	\$306,100		\$306,100	
No Loss Funding	\$278,642,957		\$164,335,526	\$80,820,999
Alleghany County - Covington City School Division Consolidation Incentive	\$0		\$1,200,000	
COVID-19 Local Relief Payments	\$12,910,256		\$0	
Albuterol and Valved Holding Chambers	\$0		\$120,000	
<b>Total</b>	<b>\$497,164,169</b>		<b>\$710,320,952</b>	<b>\$427,361,149</b>
<b>Categorical Programs (17803)</b>				
Adult Education	\$1,051,800		\$1,051,800	
Adult Literacy	\$2,480,000		\$2,480,000	
American Indian Treaty Commitment	\$39,305		\$54,077	\$43,704
School Lunch Program	\$5,801,932		\$5,801,932	
Special Education - Homebound	\$3,091,286		\$3,122,201	\$956,860
Special Education - Jails	\$3,635,221		\$3,957,457	
Special Education - State Operated Programs	\$36,591,267		\$37,546,662	
<b>Total</b>	<b>\$52,690,811</b>		<b>\$54,014,129</b>	<b>\$51,838,415</b>
<b>Lottery Funded Programs (17805)</b>				
At-Risk Add-On (split funded)	\$69,256,566		\$85,024,872	\$228,479,142
Foster Care	\$13,083,167		\$11,528,816	\$12,926,842
Special Education - Regional Tuition	\$98,152,929		\$101,152,929	

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
				\$76,776,448
Early Reading Intervention	\$27,103,087		\$27,192,313	\$48,725,840
Mentor Teacher	\$1,000,000		\$1,000,000	
K-3 Primary Class Size Reduction	\$129,176,942		\$132,995,629	\$130,657,337
School Breakfast Program	\$1,437,082		\$7,920,136	\$7,816,525
SOL Algebra Readiness	\$15,213,962		\$15,248,151	\$14,825,335
Infrastructure and Operations Per Pupil Funds	\$283,292,382		\$276,361,275	
Regional Alternative Education	\$9,206,220		\$9,870,797	\$9,849,223
Individualized Student Alternative Education Program (ISAEP)	\$2,247,581		\$2,247,581	
Career and Technical Education – Categorical	\$12,400,829		\$11,681,872	
Project Graduation	\$1,387,240		\$1,387,240	
Race to GED (NCLB/EFAL)	\$2,410,988		\$2,410,988	
Path to Industry Certification (NCLB/EFAL)	\$1,831,464		\$1,831,464	
Supplemental Basic Aid	\$1,030,714		\$1,049,271	\$1,032,632
Supplemental Support for Accomack & Northampton		\$0		\$2,000,000
Learning Loss Instructional Supports	\$39,999,970			\$0
<i>Textbooks (split funded)</i>		\$0		\$13,352,067
<b>Total</b>	<b>\$708,231,123</b>		<b>\$690,903,334</b>	<b>\$843,361,811</b>
Technology – VPSA	\$56,085,200		\$57,308,800	\$56,110,800
Security Equipment - VPSA	\$12,000,000		\$12,000,000	

Payments out of the above amounts shall be subject to the following conditions:

**A. Definitions**

1. "March 31 Average Daily Membership," or "March 31 ADM" - The responsible school division's average daily membership for grades K-12 including (1) handicapped students ages 5-21 and (2) students for whom English is a second language who entered school for the first time after reaching their twelfth birthday, and who have not reached twenty-two years of age on or before August 1 of the school year, for the first seven (7) months (or equivalent period) of the school year through March 31 in which state funds are distributed from this appropriation. Preschool and postgraduate students shall not be included in March 31 ADM.

a. School divisions shall take a count of September 30 fall membership and report this information to the Department of Education no later than October 15 of each year.

b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to the Department of Education shall be calculated using March 31 ADM unadjusted for half-day kindergarten programs, estimated at 1,213,092.90 the first year and ~~1,218,331.05~~ 1,207,139.15 the second year. March 31 ADM for half-day kindergarten shall be adjusted at 85 percent.

c. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>instruction pursuant to § 22.1-254.1 and who are enrolled in a public school on less than a full-time basis in any mathematics, science, English, history, social science, vocational education, health education or physical education, fine arts or foreign language course, or receiving special education services required by a student's individualized education plan, shall be counted in the funded fall membership and March 31 ADM of the responsible school division. Each course shall be counted as 0.25, up to a cap of 0.5 of a student.</p>				
<p>d. Students enrolled in an Individualized Student Alternative Education Program (ISAE) pursuant to § 22.1-254 E shall be counted in the March 31 Average Daily Membership of the responsible school division. School divisions shall report these students separately in their March 31 reports of Average Daily Membership.</p>				
<p>2. "Standards of Quality" - Operations standards for grades kindergarten through 12 as prescribed by the Board of Education subject to revision by the General Assembly.</p>				
<p>3.a. "Basic Operation Cost" - The cost per pupil, including provision for the number of instructional personnel required by the Standards of Quality for each school division with a minimum ratio of 51 professional personnel for each 1,000 pupils or proportionate number thereof, in March 31 ADM for the same fiscal year for which the costs are computed, and including provision for driver, gifted, occupational-vocational, and special education, library materials and other teaching materials, teacher sick leave, general administration, division superintendents' salaries, free textbooks (including those for free and reduced price lunch pupils), school nurses in the first year only, operation and maintenance of school plant, transportation of pupils, instructional television, professional and staff improvement, remedial work, fixed charges and other costs in programs not funded by other state and/or federal aid.</p>				
<p>b. In the first year only, state and local shares of funding resulting from the support cost calculation for school nurses shall be specifically identified as such and reported to school divisions annually. In the first year only, school divisions may spend these funds for licensed school nurse positions employed by the school division or for licensed nurses contracted by the local school division to provide school health services.</p>				
<p>4.a. "Composite Index of Local Ability-to-Pay" - An index figure computed for each locality. The composite index is the sum of 2/3 of the index of wealth per pupil in unadjusted March 31 ADM reported for the first seven (7) months of the 2017-2018 school year and 1/3 of the index of wealth per capita (population estimates for 2017 as determined by the Weldon Cooper Center for Public Service of the University of Virginia) multiplied by the local nominal share of the costs of the Standards of Quality of 0.45 in each year. The indices of wealth are determined by combining the following constituent index elements with the indicated weighting: (1) true values of real estate and public service corporations as reported by the State Department of Taxation for the calendar year 2017 - 50 percent; (2) adjusted gross income for the calendar year 2017 as reported by the State Department of Taxation - 40 percent; (3) the sales for the calendar year 2017 which are subject to the state general sales and use tax, as reported by the State Department of Taxation - 10 percent. Each constituent index element for a locality is its sum per March 31 ADM, or per capita, expressed as a percentage of the state average per March 31 ADM, or per capita, for the same element. A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing all payments based on the composite index of local ability-to-pay. Each constituent index element for a locality used to determine the composite index of local ability-to-pay for the current biennium shall be the latest available data for the specified official base year provided to the Department of Education by the responsible source agencies no later than November 15, 2019.</p>				
<p>b. For any locality whose total calendar year 2017 Virginia Adjusted Gross Income is comprised of at least 3 percent or more by nonresidents of Virginia, such nonresident income shall be excluded in computing the composite index of ability-to-pay. The Department of Education shall compute the composite index for such localities by using adjusted gross income data which exclude nonresident income, but shall not adjust the composite index of any other localities. The Department of Taxation shall furnish to the Department of Education such data as are necessary to implement this provision.</p>				
<p>c.1) Notwithstanding the funding provisions in § 22.1-25 D, Code of Virginia, additional state funding for future consolidations shall be as set forth in future Appropriation Acts.</p>				



ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
2) In the case of the consolidation of Bedford County and Bedford City school divisions, the fifteen year period for the application of a new composite shall apply beginning with the fiscal year that starts on July 1, 2013. The composite index established by the Board of Education shall equal the lowest composite index that was in effect prior to July 1, 2013, of any individual localities involved in such consolidation, and this index shall remain in effect for a period of fifteen years, unless a lower composite index is calculated for the combined division through the process for computing an index as set forth above.				
3) If the composite index of a consolidated school division is reduced during the course of the fifteen year period to a level that would entitle the school division to a lower interest rate for a Literary Fund loan than it received when the loan was originally released, the Board of Education shall reduce the interest rate of such loan for the remainder of the period of the loan. Such reduction shall be based on the interest rate that would apply at the time of such adjustment. This rate shall remain in effect for the duration of the loan and shall apply only to those years remaining to be paid.				
d. When it is determined that a substantial error exists in a constituent index element, the Department of Education will make adjustments in funding for the current school year only in the division where the error occurred. The composite index of any other locality shall not be changed as a result of the adjustment. No adjustment during the biennium will be made as a result of updating of data used in a constituent index element.				
e. In the event that any school division consolidates two or more small schools, the division shall continue to receive Standards of Quality funding and provide for the required local expenditure for a period of five years as if the schools had not been consolidated. Small schools are defined as any elementary, middle, or high school with enrollment below 200, 300 and 400 students, respectively.				
5. "Required Local Expenditure for the Standards of Quality" - The locality's share based on the composite index of local ability-to-pay of the cost required by all the Standards of Quality minus its estimated revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item, both of which are returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item, collected by the Department of Education and distributed to school divisions in the fiscal year in which the school year begins.				
6. "Required Local Match" - The locality's required share of program cost based on the composite index of local ability-to-pay for all Lottery and Incentive programs, where required, in which the school division has elected to participate in a fiscal year.				
7. "Planning District Eight" - The nine localities which comprise Planning District Eight are Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City.				
8. "State Share of the Standards of Quality" - The state share of the Standards of Quality (SOQ) shall be equal to the total funded SOQ cost for a school division less the school division's estimated revenues from the state sales and use tax dedicated to public education based on the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, adjusted for the state's share of the composite index of local ability to pay.				
9. Entitlements under this Item that use school-level or division-level Free Lunch eligibility percentages to determine the entitlement amounts are based on the most recent data available as of the biennial rebenchmarking calculations made for the current biennium. For schools that participate in the Community Eligibility Provision program, such entitlements are based on the most recent Free Lunch eligibility data available prior to that school's enrollment in the Community Eligibility Provision program.				
10. In the event that the general fund appropriations in this Item are not sufficient to meet the entitlements payable to school divisions pursuant to the provisions of this Item, the Department of Education is authorized to transfer any available general fund funds between these Items to address such insufficiencies. If the total general fund				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

appropriations after such transfers remain insufficient to meet the entitlements of any program funded with general fund dollars, the Department of Education is authorized to prorate such shortfall proportionately across all of the school divisions participating in any program where such shortfall occurred.

11. The Department of Education is directed to apply a cap on inflation rates in the same manner prescribed in § 51.1-166.B, Code of Virginia, when updating funding to school divisions during the biennial rebenchmarking process.

12. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to combine the end-of-year Average Daily Membership (ADM) for those school divisions who have partnered together as a fiscal agent division and a contractual division for the purposes of calculating prevailing costs included in the Standards of Quality (SOQ).

13. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to include zeroes in the linear weighted average calculation of support non-personal costs for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

14. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) related to reported travel expenditures included the linear weighted average non-personal cost calculations for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

15. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) related to reported leases and rental and facility expenditures included the linear weighted average non-personal cost calculations for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

16. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to fund transportation costs using a 15 year replacement schedule, which is the national standard guideline, for school bus replacement schedule for the purpose of calculating funded transportation costs included in the Standards of Quality (SOQ).

17. To provide additional flexibility, notwithstanding the provisions of § 22.1-79.1, Code of Virginia, any school division that was granted a waiver regarding the opening date of the school year for the 2011-2012 school year under the good cause requirements shall continue to be granted a waiver for the 2020-2021 school year and the 2021-2022 school year.

18. In the first year, to provide temporary flexibility, notwithstanding any other provision in statute or in this item, school divisions may elect to increase the teacher to pupil staffing ratios in kindergarten through grade 7 and English classes for grades 6 through 12 by one additional student; the teacher to pupil staffing ratio requirements for Elementary Resource teachers, Prevention, Intervention and Remediation, Gifted and Talented, Career and Technical funded programs (other than on Career and Technical courses where school divisions will have to maintain a maximum class size based on federal Occupational Safety & Health Administration safety requirements) are waived; and the instructional and support technology positions, and librarian staffing ratios for new hires are waived.

In the first year, school divisions shall report to the Board of Education the number and type of positions that were not filled in the previous school year and during the current school year through these flexibility provisions. The Board of Education shall include a compilation of such responses in its report on the conditions and needs of public education in the Commonwealth, that is required to be submitted to the Governor and General Assembly no later than December 1, as referenced in §§ 22.1-18 and 22.1-253.13:8 of the Code of Virginia.

**B. General Conditions**

1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for instructional staff members to the employer's cost for a number not exceeding the number of instructional positions required by the Standards of Quality for each school division and for their salaries at the statewide prevailing salary levels as printed below.

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<b>Instructional Position</b>	<b>First Year Salary</b>		<b>Second Year Salary</b>	
Elementary Teachers	\$51,371		\$51,371	
Elementary Assistant Principals	\$71,532		\$71,532	
Elementary Principals	\$89,378		\$89,378	
Secondary Teachers	\$53,777		\$53,777	
Secondary Assistant Principals	\$77,181		\$77,181	
Secondary Principals	\$99,215		\$99,215	
Instructional Aides	\$18,995		\$18,995	

a.1) Payment by the state to a local school division shall be based on the state share of fringe benefit costs of 55 percent of the employer's cost distributed on the basis of the composite index.

2) A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing fringe benefit funds under this provision.

3) The state payment to each school division for retirement, social security, and group life insurance costs for non-instructional personnel is included in and distributed through Basic Aid.

b. Payments to school divisions from this Item shall be calculated using March 31 Average Daily Membership adjusted for half-day kindergarten programs.

c. Payments for health insurance fringe benefits are included in and distributed through Basic Aid.

2. Each locality shall offer a school program for all its eligible pupils which is acceptable to the Department of Education as conforming to the Standards of Quality program requirements.

3. In the event the statewide number of pupils in March 31 ADM results in a state share of cost exceeding the general fund appropriation in this Item, the locality's state share of Basic Aid shall be reduced proportionately so that this general fund appropriation will not be exceeded. In addition, the required local share of Basic Aid shall also be reduced proportionately to the reduction in the state's share.

4. The Department of Education shall make equitable adjustments in the computation of indices of wealth and in other state-funded accounts for localities affected by annexation, unless a court of competent jurisdiction makes such adjustments. However, only the indices of wealth and other state-funded accounts of localities party to the annexation will be adjusted.

5. In the event that the actual revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item (both of which are returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service) for sales in the fiscal year in which the school year begins are different from the number estimated as the basis for this appropriation, the estimated state sales and use tax revenues shall not be adjusted.

6. This appropriation shall be apportioned to the public schools with guidelines established by the Department of Education consistent with legislative intent as expressed in this act.

7.a. Appropriations of state funds in this Item include the number of positions required by the Standards of Quality. This Item includes a minimum of 51 professional instructional positions and aide positions (C 5); Education of the Gifted, 1.0 professional instructional position (C 6); Occupational-Vocational Education Payments and Special Education Payments; a minimum of 6.0 professional instructional positions and aide positions (C 7 and C 8) for each 1,000 pupils in March 31 ADM each year in support of the current Standards of Quality. Funding in support of one hour of additional instruction per day based on the percent of students eligible for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1, depending upon a school division's combined failure

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
rate on the English and Math Standards of Learning, is included in Remedial Education Payments (C 9).				
b. No actions provided in this section signify any intent of the General Assembly to mandate an increase in the number of instructional personnel per 1,000 students above the numbers explicitly stated in the preceding paragraph.				
c. Appropriations in this Item include programs supported in part by transfers to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act. These transfers combined together with other appropriations from the general fund in this Item funds the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support technology position per 1,000 students; one instructional technology position per 1,000 students; and a full daily planning period for teachers at the middle and high school levels in order to relieve the financial pressure these education programs place on local real estate taxes.				
d. To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers required by the Standards of Quality to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these SOQ funds in this manner shall only employ instructional personnel licensed by the Board of Education.				
e. To provide flexibility in the provision of reading intervention services, school divisions may use the state Early Reading Intervention initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall only employ instructional personnel licensed by the Board of Education.				
f. To provide flexibility in the provision of mathematics intervention services, school divisions may use the state Standards of Learning Algebra Readiness initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.				
g.1) Notwithstanding the provisions of subsection H of § 22.1-253.13:2, Code of Virginia, in the 2020-2021 school year, each school board shall employ the following full-time equivalent school counselor positions for any school that reports fall membership, according to the type of school and student enrollment: in elementary schools, one hour per day per 91 students, one full-time at 455 students, one hour per day additional time per 91 students or major fraction thereof; in middle schools, one period per 74 students, one full-time at 370 students, one additional period per 74 students or major fraction thereof; in high schools, one period per 65 students, one full-time at 325 students, one additional period per 65 students or major fraction thereof.				
2) Effective with the 2021-2022 school year, local school boards shall employ one full-time equivalent school counselor position per 325 students in grades kindergarten through 12.				
8.a.1) Pursuant to § 22.1-97, Code of Virginia, the Department of Education is required to make calculations at the start of the school year to ensure that school divisions have appropriated adequate funds to support their estimated required local expenditure for the corresponding state fiscal year. In an effort to reduce the administrative burden on school divisions resulting from state data collections, such as the one needed to make the aforementioned calculations, the requirements of § 22.1-97, Code of Virginia, pertaining to the adequacy of estimated required local expenditures, shall be satisfied by signed certification by each division superintendent at the beginning of each school year that sufficient local funds have been budgeted to meet all state required local effort and required local match amounts. This provision shall only apply to calculations required of the				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Department of Education related to estimated required local expenditures and shall not pertain to the calculations associated with actual required local expenditures after the close of the school year.</p>				
<p>2) The Department of Education shall also make calculations after the close of the school year to verify that the required local effort level, based on actual March 31 Average Daily Membership, was met. Pursuant to § 22.1-97, Code of Virginia, the Department of Education shall report annually, no later than the first day of the General Assembly session, to the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health, the results of such calculations made after the close of the school year and the degree to which each school division has met, failed to meet, or surpassed its required local expenditure. The Department of Education shall specify the calculations to determine if a school division has expended its required local expenditure for the Standards of Quality. This calculation may include but is not limited to the following calculations:</p>				
<p>b. The total expenditures for operation, defined as total expenditures less all capital outlays, expenditures for debt service, facilities, non-regular day school programs (such as adult education, preschool, and non-local education programs), and any transfers to regional programs will be calculated.</p>				
<p>c. The following state funds will be deducted from the amount calculated in paragraph a. above: revenues from the state sales and use tax (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item) for sales in the fiscal year in which the school year begins; total receipts from state funds (except state funds for non-regular day school programs and state funds used for capital or debt service purposes); and the state share of any balances carried forward from the previous fiscal year. Any qualifying state funds that remain unspent at the end of the fiscal year will be added to the amount calculated in paragraph a. above.</p>				
<p>d. Federal funds, and any federal funds carried forward from the previous fiscal year, will also be deducted from the amount calculated in paragraph a. above. Any federal funds that remain unspent at the end of the fiscal year and any capital expenditures paid from federal funds will be added to the amount calculated in paragraph a. above.</p>				
<p>e. Tuition receipts, receipts from payments from other cities or counties, and fund transfers will also be deducted from the amount calculated in paragraph a, then</p>				
<p>f. The final amount calculated as described above must be equal to or greater than the required local expenditure defined in paragraph A. 5.</p>				
<p>g. The Department of Education shall collect the data necessary to perform the calculations of required local expenditure as required by this section.</p>				
<p>h. A locality whose expenditure in fact exceeds the required amount from local funds may not reduce its expenditures unless it first complies with all of the Standards of Quality.</p>				
<p>9.a. Any required local matching funds which a locality, as of the end of a school year, has not expended, pursuant to this Item, for the Standards of Quality shall be paid by the locality into the general fund of the state treasury. Such payments shall be made not later than the end of the school year following that in which the under expenditure occurs.</p>				
<p>b. Whenever the Department of Education has recovered funds as defined in the preceding paragraph a., the Secretary of Education is authorized to repay to the locality affected by that action, seventy-five percent (75%) of those funds upon his determination that:</p>				
<p>1) The local school board agrees to include the funds in its June 30 ending balance for the year following that in which the under expenditure occurs;</p>				
<p>2) The local governing body agrees to reappropriate the funds as a supplemental appropriation to the approved budget for the second year following that in which the under expenditure occurs, in an appropriate category as requested by the local school board, for the direct benefit of the students;</p>				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
3) The local school board agrees to expend these funds, over and above the funds required to meet the required local expenditure for the second year following that in which the under expenditure occurs, for a special project, the details of which must be furnished to the Department of Education for review and approval;				
4) The local school board agrees to submit quarterly reports to the Department of Education on the use of funds provided through this project award; and				
5) The local governing body and the local school board agree that the project award will be cancelled and the funds withdrawn if the above conditions have not been met as of June 30 of the second year following that in which the under expenditure occurs.				
c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum sufficient, not to exceed 75 percent of the funds deposited in the general fund pursuant to the preceding paragraph a.				
<i>d. Notwithstanding the provisions set forth in this Act or in § 22.1-97, Code of Virginia, required local effort and required local match obligations are waived for fiscal year 2021.</i>				
10. The Department of Education shall specify the manner for collecting the required information and the method for determining if a school division has expended the local funds required to support the actual local match based on all Lottery and Incentive programs in which the school division has elected to participate. Unless specifically stated otherwise in this Item, school divisions electing to participate in any Lottery or Incentive program that requires a local funding match in order to receive state funding, shall certify to the Department of Education its intent to participate in each program by July 1 each fiscal year in a manner prescribed by the Department of Education. As part of this certification process, each division superintendent must also certify that adequate local funds have been appropriated, above the required local effort for the Standards of Quality, to support the projected required local match based on the Lottery and Incentive programs in which the school division has elected to participate. State funding for such program(s) shall not be made until such time that the school division can certify that sufficient local funding has been appropriated to meet required local match. The Department of Education shall make calculations after the close of the fiscal year to verify that the required local match was met based on the state funds that were received.				
11. Any sum of local matching funds for Lottery and Incentive program which a locality has not expended as of the end of a fiscal year in support of the required local match pursuant to this Item shall be paid by the locality into the general fund of the state treasury unless the carryover of those unspent funds is specifically permitted by other provisions of this act. Such payments shall be made no later than the end of the school year following that in which the under expenditure occurred.				
12. The Superintendent of Public Instruction shall provide a report annually, no later than the first day of the General Assembly session, on the status of teacher salaries, by local school division, to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees. In addition to information on average salaries by school division and statewide comparisons with other states, the report shall also include information on starting salaries by school division and average teacher salaries by school.				
13. All state and local matching funds required by the programs in this Item shall be appropriated to the budget of the local school board.				
14. By November 15 of each year, the Department of Planning and Budget, in cooperation with the Department of Education, shall prepare and submit a preliminary forecast of Standards of Quality expenditures, based upon the most current data available, to the Chairmen of the House Appropriations and Senate Finance Committees. In odd-numbered years, the forecast for the current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast for the current and subsequent fiscal year shall be provided. The forecast shall detail the projected March 31 Average Daily Membership and the resulting impact on the education budget.				
15. School divisions may choose to use state payments provided for Standards of Quality Prevention, Intervention, and Remediation in both years as a block grant for remediation purposes, without restrictions or reporting requirements, other than reporting necessary as a				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

basis for determining funding for the program.

16. Except as otherwise provided in this act, the Superintendent of Public Instruction shall provide guidelines for the distribution and expenditure of general fund appropriations and such additional federal, private and other funds as may be made available to aid in the establishment and maintenance of the public schools.

17. At the Department of Education's option, fees for audio-visual services may be deducted from state Basic Aid payments for individual local school divisions.

18. For distributions not otherwise specified, the Department of Education, at its option, may use prior year data to calculate actual disbursements to individual localities.

19. Payments for accounts related to the Standards of Quality made to localities for public education from the general fund, as provided herein, shall be payable in twenty-four semi-monthly installments at the middle and end of each month.

20. Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the Department of Education shall, for purposes of calculating the state and local shares of the Standards of Quality, apportion state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2018, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2019, estimate of school age population provided by the Weldon Cooper Center for Public Service.

Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the State Comptroller shall distribute the state sales and use tax revenues dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2018, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2019, estimate of school age population provided by the Weldon Cooper Center for Public Service.

21. The school divisions within the Tobacco Region, as defined by the Tobacco Indemnification and Community Revitalization Commission, shall jointly explore ways to maximize their collective expenditure reimbursement totals for all eligible E-Rate funding.

22. This Item includes appropriations totaling an estimated \$708,231,123 the first year and ~~\$690,903,334~~ \$843,361,811 the second year from the revenues deposited to the Lottery Proceeds Fund. These amounts are appropriated for distribution to counties, cities, and towns to support public education programs pursuant to Article X, Section 7-A Constitution of Virginia. Any county, city, or town which accepts a distribution from this fund shall provide its portion of the cost of maintaining an educational program meeting the Standards of Quality pursuant to Section 2 of Article VIII of the Constitution without the use of distributions from the fund.

23. For reporting purposes, the Department of Education shall include Lottery Proceeds Funds as state funds.

24.a. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2021 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2021 may carry over into FY 2022 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2022 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY 2022.

b. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2022 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2022 may carry over into FY 2023 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2023 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

funds to the school division for expenditure in FY 2023.

25. Localities are encouraged to allow school boards to carry over any unspent local allocations into the next fiscal year. Localities are also encouraged to provide increased flexibility to school boards by appropriating state and local funds for public education in a lump sum.

26. The Department of Education shall include in the annual School Performance Report Card for school divisions the percentage of each division's annual operating budget allocated to instructional costs. For this report, the Department of Education shall establish a methodology for allocating each school division's expenditures to instructional and non-instructional costs in a manner that is consistent with the funding of the Standards of Quality as approved by the General Assembly.

27. It is the intent of the General Assembly that all school divisions annually provide their employees, upon request, with a user-friendly statement of total compensation, including contract duration if less than 12 months.

28. The Department of Education, in collaboration with the Virginia Community College System, will ensure that the same policies regarding the cost for dual enrollment courses held at a community college, are consistently applied to public school students and home-schooled students alike. These policies will clearly address the school division contributions and any student charges for dual enrollment courses, and will ensure that public school students and home-school students are treated in the same manner.

29. Each school division shall report each year to the Department of Education the individual uses for the prior year of the following funds prescribed by this item: (i) Prevention, Intervention, and Remediation, (ii) At-Risk Add-On, and (iii) Early Reading Intervention. The Department shall prescribe the format and timeline required for the reporting of such information, which shall include, permitted categories of spending, personnel, both state and local contributions, and to the extent possible, the individual schools which these funds were expended. The Department shall compile and submit this information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than the first day of the General Assembly session.

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.

31. Beginning in the second year, multidivision online providers, as defined in § 22.1-212.23, Code of Virginia, shall provide certain data as prescribed by the Department of Education related to students enrolled through a contract between such a provider and a school division, including such students who do not reside in the school division that is party to the contract. Such data shall include, but is not limited to, enrollment, which shall be disaggregated by serving school, demographics, attendance, achievement, and achievement gaps, and be transmitted in a format prescribed by the Department. The Department shall report such data annually through the School Quality Profiles in a manner that clearly disaggregates and communicates school quality information related to (i) the students that do not reside in the school division and are served through the contract, and (ii) all other students.

**C. Apportionment**

1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each locality shall receive sums as listed above within this program for the basic operation cost and payments in addition to that cost. The apportionment herein directed shall be inclusive of, and without further payment by reason of, state funds for library and other teaching materials.

2. School Employee Retirement Contributions

a. This Item provides funds to each local school board for the state share of the employer's retirement cost incurred by it, on behalf of instructional and support personnel, for subsequent transfer to the retirement allowance account as provided by Title 51.1, Chapter 1, Code of



ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Virginia.				
b. Notwithstanding § 51.1-1401, Code of Virginia, the Commonwealth shall provide payments for only the state share of the Standards of Quality fringe benefit cost of the retiree health care credit. This Item includes payments in both years based on the state share of fringe benefit costs of 55 percent of the employer's cost on funded Standards of Quality instructional and support positions, distributed based on the composite index of the local ability-to-pay.				
3. School Employee Social Security Contributions				
a. This Item provides funds to each local school board for the state share of the employer's Social Security cost incurred by it, on behalf of the instructional personnel for subsequent transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.				
b. Appropriations for contributions in paragraphs 2 and 3 above include payments from funds derived from the principal of the Literary Fund in accordance with Article VIII, Section 8, of the Constitution of Virginia. The amounts set aside from the Literary Fund for these purposes shall not exceed \$162,000,000 the first year and <del>\$83,000,000</del> \$15,900,000 the second year.				
4. School Employee Insurance Contributions				
This Item provides funds to each local school board for the state share of the employer's Group Life Insurance cost incurred by it on behalf of instructional personnel who participate in group insurance under the provisions of Title 51.1, Chapter 5, Code of Virginia.				
5. Basic Aid Payments				
a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is established individually for each local school division based on the number of instructional personnel required by the Standards of Quality and the statewide prevailing salary levels (adjusted in Planning District Eight for the cost of competing) as well as recognized support costs calculated on a prevailing basis for an estimated March 31 ADM.				
2) This appropriation includes funding to recognize the common labor market in the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area. Standards of Quality salary payments for instructional and support positions in school divisions of the localities set out below have been adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to local school divisions in Planning District Eight. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, the SOQ payments for instructional and support positions have been increased by 25 percent each year of the COCA rates paid to school divisions in Planning District Eight.				
The support COCA rate is 10.6 percent the first year and 18.0 percent the second year.				
b. The state share for a locality shall be equal to the Basic Operation Cost for that locality less the locality's estimated revenues from the state sales and use tax (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item), in the fiscal year in which the school year begins and less the required local expenditure.				
c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use tax estimates are as cited in this Item.				
d. 1) In accordance with the provisions of § 37.2-713, Code of Virginia, the Department of Education shall deduct the locality's share for the education of handicapped pupils residing in institutions within the Department of Behavioral Health and Developmental Services from the locality's Basic Aid payments.				
2) The amounts deducted from Basic Aid for the education of intellectually disabled persons shall be transferred to the Department of Behavioral Health and Developmental Services in support of the cost of educating such persons; the amount deducted from Basic Aid for the education of emotionally disturbed persons shall be used to cover				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

extraordinary expenses incurred in the education of such persons. The Department of Education shall establish guidelines to implement these provisions and shall provide for the periodic transfer of sums due from each local school division to the Department of Behavioral Health and Developmental Services and for Special Education categorical payments. The amount of the actual transfers will be based on data accumulated during the prior school year.

e. 1) The apportionment to localities of all driver education revenues received during the school year shall be made as an undesignated component of the state share of Basic Aid in accordance with the provisions of this Item. Only school divisions complying with the standardized program established by the Board of Education shall be entitled to participate in the distribution of state funds appropriated for driver education. The Department of Education will deduct a designated amount per pupil from a school division's Basic Aid payment when the school division is not in compliance with § 22.1-205 C, Code of Virginia. Such amount will be computed by dividing the current appropriation for the Driver Education Fund by actual March 31 ADM.

2) Local school boards may charge a per pupil fee for behind-the-wheel driver education provided, however, that the fee charged plus the per pupil basic aid reimbursement for driver education shall not exceed the actual average per pupil cost. Such fees shall not be cause for a pro rata reduction in Basic Aid payments to school divisions.

f. Textbooks

1) The appropriation in this Item includes \$72,851,568 the first year and ~~\$73,119,307~~ \$59,229,949 the second year from the general fund and \$13,352,067 the second year from the Lottery Proceeds Fund as the state's share of the cost of textbooks based on a per pupil amount of \$107.47 the first year and \$107.47 the second year. A school division shall appropriate these funds for textbooks or any other public education instructional expenditure by the school division. The state's distributions for textbooks shall be based on adjusted March 31 ADM. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

2) School divisions shall provide free textbooks to all students.

3) School divisions may use a portion of this funding to purchase Standards of Learning instructional materials. School divisions may also use these funds to purchase electronic textbooks or other electronic media resources integral to the curriculum and classroom instruction and the technical equipment required to read and access the electronic textbooks and electronic curriculum materials.

4) Any funds provided to school divisions for textbook costs that are unexpended as of June 30, 2021, or June 30, 2022, shall be carried on the books of the locality to be appropriated to the school division the following year to be used for same purpose. School divisions are permitted to carry forward any remaining balance of textbook funds until the funds are expended for a qualifying purpose.

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.

g. The one-cent state sales and use tax earmarked for education and the sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item which are distributed to localities on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this Item shall be reflected in each locality's annual budget for educational purposes as a separate revenue source for the current fiscal year.

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

h. The appropriation for the Standards of Quality for Public Education (SOQ) includes amounts estimated at \$421,600,000 the first year and ~~\$433,800,000~~ \$510,700,000 the second year from the amounts transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this act which are derived from the 0.375 cent increase in the state sales and use tax levied pursuant to § 58.1-638, Code of Virginia. These additional funds are provided to local school divisions and local governments in order to relieve the financial pressure education programs place on local real estate taxes.

i. From the total amounts in paragraph h. above, an amount estimated at \$281,000,000 the first year and ~~\$289,200,000~~ \$340,500,000 the second year (approximately 1/4 cent of sales and use tax) is appropriated to support a portion of the cost of the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support and one instructional technology position per 1,000 students; a full daily planning period for teachers at the middle and high school levels in order to relieve the pressure on local real estate taxes and shall be taken into account by the governing body of the county, city, or town in setting real estate tax rates.

j. From the total amounts in paragraph h. above, an amount estimated at \$140,500,000 the first year and ~~\$144,600,000~~ \$170,200,000 the second year (approximately 1/8 cent of sales and use tax) is appropriated in this Item to distribute the remainder of the revenues collected and deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this Item.

k. For the purposes of funding certain support positions in Basic Aid, a funding ratio methodology is used based upon the prevailing ratio of actual support positions, consistent with those recognized for SOQ funding, to actual instructional positions, consistent with those recognized for SOQ funding, as established in Chapter 781, 2009 Acts of Assembly. For the purposes of making the required spending adjustments, the appropriation and distribution of Basic Aid shall reflect this methodology. Local school divisions shall have the discretion as to where the adjustment may be made, consistent with the Standards of Quality funded in this Act. Beginning in the second year, such methodology shall not apply to specialized student support positions due to the establishment of a staffing standard for such positions, pursuant to Senate Bill 1257, 2021 Special Session I.

6. Education of the Gifted Payments

a. An additional payment shall be disbursed by the Department of Education to local school divisions to support the state share of one full-time equivalent instructional position per 1,000 students in adjusted March 31 ADM.

b. Local school divisions are required to spend, as part of the required local expenditure for the Standards of Quality the established per pupil cost for gifted education (state and local share) on approved programs for the gifted.

7. Occupational-Vocational Education Payments

a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Vocational Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.

b. An amount estimated at \$129,097,542 the first year and \$129,160,173 the second year from the general fund included in Basic Aid Payments relates to vocational education programs in support of the Standards of Quality.

8. Special Education Payments

a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Special Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

b. Out of the amounts for special education payments, general fund support is provided to fund the caseload standards for speech pathologists at 68 students for each year of the biennium.

9. Remedial Education Payments

a. An additional payment estimated at \$117,973,133 the first year and ~~\$118,181,833~~ \$116,300,292 the second year from the general fund shall be disbursed by the Department of Education to support the Board of Education's Standards of Quality Prevention, Intervention, and Remediation program adopted in June 2003.

b. The payment shall be calculated based on one hour of additional instruction per day for identified students, using the three year average percent of students eligible for the federal Free Lunch program as a proxy for students needing such services. Fall membership shall be multiplied by the three year average division-level Free Lunch eligibility percentage to determine the estimated number of students eligible for services. Pupil-teacher ratios shall be applied to the estimated number of eligible students to determine the number of instructional positions needed for each school division. The pupil-teacher ratio applied for each school division shall range from 10:1 for those divisions with the most severe combined three year average failure rates for English and math Standards of Learning test scores to 18:1 for those divisions with the lowest combined three year average failure rates for English and math Standards of Learning test scores.

c. Funding shall be matched by the local government based on the composite index of local ability-to-pay.

d. To provide flexibility in the instruction of English Language Learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the SOQ Prevention, Intervention, and Remediation account to employ additional English Language Learner teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided through the staffing standard of 20 instructional positions per 1,000 limited English proficiency students. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall only employ instructional personnel licensed by the Board of Education.

e. An additional state payment estimated at \$107,830,098 the first year and ~~\$147,939,452~~ the second year from the general fund and \$69,256,566 the first year and ~~\$85,024,872~~ \$228,479,142 the second year from the Lottery Proceeds Fund shall be disbursed based on the estimated number of federal Free Lunch participants, in support of programs for students who are educationally at risk. The additional payment shall be based on the state share of:

1) A minimum 1.0 percent Add-On, as a percent of the per pupil basic aid cost, for each child who qualifies for the federal Free Lunch Program; and

2) An addition to the Add-On, based on the concentration of children qualifying for the federal Free Lunch Program. Based on its percentage of Free Lunch participants, each school division will receive a total between 1.0 and 19.9 percent in the first year and between 1.0 and 26.0 percent in the second year in additional basic aid per Free Lunch participant. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

3a) Local school divisions are required to spend the established At-Risk Add-On payment (state and local share) on approved programs for students who are educationally at risk.

b) To receive these funds, each school division shall certify to the Department of Education that the state and local share of the At-Risk Add-On payment will be used to support approved programs for students who are educationally at risk. These programs may include: teacher recruitment programs and incentives, Dropout Prevention, community and school-based truancy officer programs, Advancement Via Individual Determination (AVID), Project Discovery, Reading Recovery, programs for students who speak English as a Second Language, hiring additional school guidance counselors, testing coordinators, and licensed behavior analysts, or programs related to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

and training. Further, in the first year only each school division shall report by August 1 to the Department the individual uses of these funds. The Department shall compile the responses and provide them to the Chairmen of House Appropriations and Senate Finance Committees no later than the first day of each Regular General Assembly Session.

4) If the Board of Education has required a local school board to submit a corrective action plan pursuant to § 22.1-253.13:3, Code of Virginia, either for the school division pursuant to a division level review, or for any schools within its division that have been designated as not meeting the standards as approved by the Board of Education, the Superintendent of Public Instruction shall determine and report to the Board of Education whether each such local school board has met its obligation to develop and submit such corrective action plan(s) and is making adequate and timely progress in implementing the plan(s). Additionally, if an academic or other review process undertaken pursuant to § 22.1-253.13:3, Code of Virginia, has identified actions for a local school board to implement, the Superintendent of Public Instruction shall determine and report to the Board of Education whether the local school board has implemented required actions. If the Superintendent certifies that a local school board has failed or refused to meet any of those obligations as referenced in a memorandum of understanding between the local school board and the Board of Education, the Board of Education shall withhold payment of some or all At-Risk Add-On funds otherwise allocated to the affected division pursuant to this allocation for the pending fiscal year. In determining the amount of At-Risk Add-On funds to be withheld, the Board of Education shall take into consideration the extent to which such funds have already been expended or contractually obligated. The local school board shall be given an opportunity to correct its failure and, if successful in a timely manner, may have some or all of its At-Risk Add-On funds restored at the Board of Education's discretion.

f. Regional Alternative Education Programs

1) An additional state payment of \$9,206,220 the first year and ~~\$9,870,797~~ \$9,849,223 the second year from the Lottery Proceeds Fund shall be disbursed for Regional Alternative Education programs. Such programs shall be for the purpose of educating certain expelled students and, as appropriate, students who have received suspensions from public schools and students returned to the community from the Department of Juvenile Justice.

2) Each regional program shall have a small student/staff ratio. Such staff shall include, but not be limited to education, mental health, health, and law enforcement professionals, who will collaborate to provide for the academic, psychological, and social needs of the students. Each program shall be designed to ensure that students make the transition back into the "mainstream" within their local school division.

3) a) Regional alternative education programs are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs. This incremental per pupil payment shall be adjusted for the composite index of local ability-to-pay of the school division that counts such students attending such program in its March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the regional programs for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the school day or school year that the student does not attend such program.

b) In the event a school division does not use all of the student slots it is allocated under this program, the unused slots may be reallocated or transferred to another school division.

1. A school division must request from the Department of Education the availability and possible use of any unused student slots. If any unused slots are available and if the requesting school division chooses to utilize any of the unused slots, the requesting school division shall only receive the state's share of tuition for the unused slot that was allocated in this Item for the originally designated school division.

2. However, no requesting school division shall receive more tuition funding from the state for any requested unused slot than what would have been the calculated amount for

<b>ITEM 145.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2021</b>	<b>Second Year FY2022</b>	<b>First Year FY2021</b>	<b>Second Year FY2022</b>

the requesting school division had the unused slot been allocated to the requesting school division in the original budget. Furthermore, the requesting school division shall pay for any remaining tuition payment necessary for using a previously unused slot.

3. The Department of Education shall provide assistance for the state share of the incremental cost of Regional Alternative Education program operations based on the composite index of local ability-to-pay.

4) Out of the appropriation included in paragraph C.38. of this item, ~~\$759,098~~ \$757,515 the second year from the Lottery Proceeds Fund are provided for a compensation supplement payment equal to 5.0 percent of base pay on July 1, 2021, for Regional Alternative Education Program instructional and support positions, as referenced in paragraph C. 38. of this item.

5) The Department of Education shall develop a plan to determine and biennially rebenchmark the allocation of existing regional alternative education program slots to participating school divisions. In developing a plan, the Department shall (i) identify a mechanism to calculate slot distribution based on the number of students in a participating division requiring regional alternative education, (ii) identify needs to implement such a plan, including reporting from local school divisions, (iii) identify any legislative and Appropriation Act amendments necessary for implementation, and (iv) plan for the full implementation to rebenchmark the slot allocation of regional alternative education programs. The Department shall report the recommendation to the Secretary of Education, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by August 1, 2021.

g. Remedial Summer School

1) This appropriation includes \$17,994,400 the first year and ~~\$22,584,988~~ \$40,206,577 the second year from the general fund for the state's share of Remedial Summer School Programs. These funds are available to school divisions for the operation of programs designed to remediate students who are required to attend such programs during a summer school session or during an intersession in the case of year-round schools. These funds may be used in conjunction with other sources of state funding for remediation or intervention. School divisions shall have maximum flexibility with respect to the use of these funds and the types of remediation programs offered; however, in exercising this flexibility, students attending these programs shall not be charged tuition and no high school credit may be awarded to students who participate in this program.

2) For school divisions charging students tuition for summer high school credit courses, consideration shall be given to students from households with extenuating financial circumstances who are repeating a class in order to graduate.

10. K-3 Primary Class Size Reduction Payments

a. An additional payment estimated at \$129,176,942 the first year and ~~\$132,995,629~~ \$130,657,337 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education as an incentive for reducing class sizes in the primary grades.

b. The Department of Education shall calculate the payment based on the incremental cost of providing the lower class sizes based on the lower of the division average per pupil cost of all divisions or the actual division per pupil cost.

c. Localities are required to provide a match for these funds based on the composite index of local ability-to-pay.

d. By October 15 of each year school divisions must provide data to the Department of Education that each participating school has a September 30 pupil/teacher ratio in grades K through 3 that meet the following criteria:

<b>Qualifying School Percentage of Students Approved Eligible for Free Lunch, Three-Year Average</b>	<b>Grades K-3 School Ratio</b>	<b>Maximum Individual K-3 Class Size</b>
30% but less than 45%	19 to 1	24

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
45% but less than 55%	18 to 1		23	
55% but less than 65%	17 to 1		22	
65% but less than 70%	16 to 1		21	
70% but less than 75%	15 to 1		20	
75% or more	14 to 1		19	

e. School divisions may elect to have eligible schools participate at a higher ratio, or only in a portion of grades kindergarten through three, with a commensurate reduction of state and required local funds, if local conditions do not permit participation at the established ratio and/or maximum individual class size. In the event that a school division requires additional actions to ensure participation at the established ratio and/or maximum individual class size, such actions must be completed by December 1 of the impacted school year. Special education teachers and instructional aides shall not be counted towards meeting these required pupil/teacher ratios in grades kindergarten through three.

f. The Superintendent of Public Instruction may grant waivers to school divisions for the class size requirement in eligible schools that have only one class in an affected grade level in the school.

11. Literary Fund Subsidy Program Payments

a. The Department of Education and the Virginia Public School Authority (VPSA) shall provide a program of funding for school construction and renovation through the Literary Fund and through VPSA bond sales. The program shall be used to provide funds, through Literary Fund loans and subsidies, and through VPSA bond sales, to fund a portion of the projects on the First or Second Literary Fund Waiting List, or other critical projects which may receive priority placement on the First or Second Literary Fund Waiting List by the Department of Education. Interest rate subsidies will provide school divisions with the present value difference in debt service between a Literary Fund loan and a borrowing through the VPSA. To qualify for an interest rate subsidy, the school division's project must be eligible for a Literary Fund loan and shall be subject to the same restrictions. The VPSA shall work with the Department of Education in selecting those projects to be funded through the interest rate subsidy/bond financing program, so as to ensure the maximum leverage of Literary Fund moneys and a minimum impact on the VPSA Bond Pool.

b. The Department of Education may offer Literary Fund loans from the uncommitted balances of the Literary Fund after meeting the obligations of the interest rate subsidy sales and the amounts set aside from the Literary Fund for Debt Service Payments for Education Technology and Security Equipment in this Item.

c. 1) In the event that on any scheduled payment date of bonds of the Virginia Public School Authority (VPSA) authorized under the provisions of a bond resolution adopted subsequent to June 30, 1997, issued subsequent to June 30, 1997, and not benefiting from the provisions of either § 22.1-168 (iii), (iv), and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the sum of (i) the payments on general obligation school bonds of cities, counties, and towns (localities) paid to the VPSA and (ii) the proceeds derived from the application of the provisions of § 15.2-2659, Code of Virginia, to such bonds of localities, is less than the debt service due on such bonds of the VPSA on such date, there is hereby appropriated to the VPSA, first, from available moneys of the Literary Fund and, second, from the general fund a sum equal to such deficiency.

2) The Commonwealth shall be subrogated to the VPSA to the extent of any such appropriation paid to the VPSA and shall be entitled to enforce the VPSA's remedies with respect to the defaulting locality and to full recovery of the amount of such deficiency, together with interest at the rate of the defaulting locality's bonds.

d. The chairman of the Board of Commissioners of the VPSA shall, on or before November 1 of each year, make and deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds of the VPSA issued and projected to be issued during such biennium pursuant to the bond resolution referred to in paragraph a above. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to

<b>ITEM 145.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2021</b>	<b>Second Year FY2022</b>	<b>First Year FY2021</b>	<b>Second Year FY2022</b>

paragraph 1) above.

e. The Virginia Department of Education and the Virginia Department of the Treasury shall develop recommendations to make Literary Fund construction loans more competitive and attractive to school divisions as a viable source for funding school construction projects. The objective of such recommendations should focus on making such loans valuable to both the Literary Fund and the borrowing localities with a goal of increasing localities' use of loans and increasing the overall health of the Literary Fund. The agencies should consider changes to the Literary Fund loan program and State Board of Education regulations that reflect market-favorable interest rates and provide loan alternatives for localities that are competitive with the Virginia Public School Authority and other construction financing programs. The agencies shall report these recommendations to the Governor and the Chairpersons of the House Appropriations and Senate Finance and Appropriations Committees no later than July 31, 2021.

12. Educational Technology Payments

a. Any unobligated amounts transferred to the educational technology fund shall be disbursed on a pro rata basis to localities. The additional funds shall be used for technology needs identified in the division's technology plan approved by the Department of Education.

b. The Department of Education shall authorize estimated amounts as indicated in Table 1 from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in the referenced years.

Table 1

<b>Grant Year</b>	<b>FY 2021</b>	<b>FY 2022</b>
2016	\$13,755,000	
2017	\$13,952,250	\$13,954,500
2018	\$12,473,250	\$12,469,500
2019	\$11,978,250	\$11,975,500
2020	\$11,390,975	\$11,389,500
2021		<b>\$12,301,025</b>
		<i>\$11,350,673</i>

c. It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for education technology grant programs. In developing the proposed 2022-2024, 2024-2026, and 2026-2028 biennial budgets for public education, the Department of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2023, 2024, 2025, 2026, and 2027.

d. 1) An education technology grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at \$56,085,200 in fiscal year 2021 and ~~\$57,308,800~~ \$56,110,800 in fiscal year 2022. Proceeds of the notes will be used to establish a computer-based instructional and testing system for the Standards of Learning (SOL) and to develop the capability for high speed Internet connectivity at high schools followed by middle schools followed by elementary schools. School divisions shall use these funds first to develop and maintain the capability to support the administration of online SOL testing for all students with the exception of students with a documented need for a paper SOL test.

2) Grant funds from the issuance of \$56,085,200 in fiscal year 2021 and ~~\$57,308,800~~ \$56,110,800 in fiscal year 2022 in equipment notes are based on a grant of \$26,000 per school and \$50,000 per school division. For purposes of this grant program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2020, for the fiscal year 2021 issuance, and September 30, 2021, for the fiscal year 2022 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, CodeVA Regional High School, and the School for the Deaf and the Blind. Schools that serve only pre-kindergarten students shall not be eligible for this grant.



ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

3. a.) Supplemental grants shall be allocated to eligible divisions to support schools that are not fully accredited in accordance with this paragraph. Schools that include a ninth grade that administer SOL tests in Spring 2020 and that are not fully accredited for the second consecutive year, based on school accreditation ratings in effect for fiscal year 2020 and fiscal year 2021 will qualify to participate in the Virginia e-Learning Backpack Initiative in fiscal year 2021 and receive: (1) a supplemental grant of \$400 per student reported in ninth grade fall membership in a qualifying school for the purchase of a laptop or tablet for that student and (2) a supplemental grant of \$2,400 per qualifying school to purchase two content creation packages for teachers. Schools eligible to receive this supplemental grant in fiscal year 2021 shall continue to receive the grant for the number of subsequent years equaling the number of grades 9 through 12 in the qualifying school up to a maximum of four years. Schools that administer SOL tests in Spring 2021 and that are not fully accredited for the second consecutive year based on school accreditation ratings in effect for fiscal year 2021 and fiscal year 2022 will qualify to participate in the initiative in fiscal year 2022. Schools eligible for the supplemental grants in previous fiscal years shall continue to be eligible for the remaining years of their grant award. Schools eligible to receive this supplemental grant in fiscal year 2022 shall continue to receive the grant for the number of subsequent years equaling the number of grades 9 through 12 in the qualifying school up to a maximum of four years. Grants awarded to qualifying schools that do not have grades 10, 11, or 12 may transition with the students to the primary receiving school for all years subsequent to grade 9. Schools are eligible to receive these grants for a period of up to four years beginning in fiscal year 2014 and shall not be eligible to receive a separate award in the future once the original award period has concluded. Schools that are fully accredited or that are new schools with conditional accreditation in their first year shall not be eligible to receive this supplemental grant.

b.) Supplemental grants allocated to school divisions for participation in the Virginia e-Learning Backpack Initiative prior to fiscal year 2017 shall be used in eligible schools for (1) the purchase of a laptop or tablet for a student reported in ninth grade fall membership, and (2) the purchase of two content creation packages for teachers per grant. The amounts for such grants shall remain unchanged.

4) Required local match:

a) Localities are required to provide a match for these funds equal to 20 percent of the grant amount, including the supplemental grants provided pursuant to paragraph g. 5). At least 25 percent of the local match, including the match for supplemental grants, shall be used for teacher training in the use of instructional technology, with the remainder spent on other required uses. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match requirement.

b) School divisions that administer 100 percent of SOL tests online in all elementary, middle, and high schools may use up to 75 percent of their required local match to purchase targeted technology-based interventions. Such interventions may include the necessary technology and software to support online learning, technology-based content systems, content management systems, technology equipment systems, information and data management systems, and other appropriate technologies that support the individual needs of learners. School divisions that receive supplemental grants pursuant to paragraph g.5) above shall use the funds in qualifying schools to purchase laptops and tablets for ninth grade students reported in fall membership and content creation packages for teachers.

5) The goal of the education technology grant program is to improve the instructional, remedial, and testing capabilities of the Standards of Learning for local school divisions and to increase the number of schools achieving full accreditation.

6) Funds shall be used in the following manner:

a) Each division shall use funds to reach a goal, in each high school, of: (1) a 5-to-1 student to computer ratio; (2) an Internet-ready local area network (LAN) capability; and (3) high speed access to the Internet. School connectivity (computers, LANs and network access) shall include sufficient download/upload capability to ensure that each student will

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	have adequate access to Internet-based instructional, remedial and assessment programs.			
	b) When each high school in a division meets the goals established in paragraph a) above, the remaining funds shall be used to develop similar capability in first the middle schools and then the elementary schools.			
	c) For purposes of establishing or enhancing a computer-based instructional program supporting the Standards of Learning pursuant to paragraph g. 1) above, these grant funds may be used to purchase handheld multifunctional computing devices that support a broad range of applications and that are controlled by operating systems providing full multimedia support and mobile Internet connectivity. School divisions that elect to use these grant funds to purchase such qualifying handheld devices must continue to meet the on-line testing requirements stated in paragraph g. 1) above.			
	d) School divisions shall be eligible to receive supplemental grants pursuant to paragraph g.5) above. These supplemental grants shall be used in qualifying schools for the purchase of laptops and tablets for ninth grade students reported in fall membership and content creation packages for teachers. Participating school divisions will be required to select a core set of electronic textbooks, applications and online services for productivity, learning management, collaboration, practice, and assessment to be included on all devices. In addition, participating school divisions will assume recurring costs for electronic textbook purchases and maintenance.			
	e) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.			
	7) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.			
	e. The Department of Education shall maintain criteria to determine if high schools, middle schools, or elementary schools have the capacity to meet the goals of this initiative. The Department of Education shall be responsible for the project management of this program.			
	f. 1) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes of the VPSA on such date, there is hereby appropriated to the VPSA from the general fund a sum equal to such deficiency.			
	2) The Chairman of the Board of Commissioners of the VPSA shall, on or before November 1 of each year, make and deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds and notes of the VPSA issued and projected to be issued during such biennium pursuant to the resolution referred to in paragraph 1) above. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.			
	g. Unobligated proceeds of the notes, including investment income derived from the proceeds of the notes may be used to pay interest on, or to decrease principal of the notes or to fund a portion of such other educational technology grants as authorized by the General Assembly.			
	h. 1) For the purposes of § 56-232, Code of Virginia, "Contracts of Telephone Companies with State Government" and for the purposes of § 56-234 "Contracts for Service Rendered by a Telephone Company for the State Government" shall be deemed to include communications lines into public schools which are used for educational technology. The rate structure for such lines shall be negotiated by the Superintendent of Public Instruction and the Chief Information Officer of the Virginia Information Technologies Agency. Further, the Superintendent and Director are authorized to encourage the development of "by-pass" infrastructure in localities where it fails to obtain competitive prices or prices consistent with			

<b>ITEM 145.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2021</b>	<b>FY2022</b>	<b>FY2021</b>	<b>FY2022</b>

the best rates obtained in other parts of the state.

2) The State Corporation Commission, in its consideration of the discount for services provided to elementary schools, secondary schools, and libraries and the universal service funding mechanisms as provided under § 254 of the Telecommunications Act of 1996, is hereby encouraged to make the discounts for intrastate services provided to elementary schools, secondary schools, and libraries for educational purposes as large as is prudently possible and to fund such discounts through the universal fund as provided in § 254 of the Telecommunications Act of 1996. The commission shall proceed as expeditiously as possible in implementing these discounts and the funding mechanism for intrastate services, consistent with the rules of the Federal Communications Commission aimed at the preservation and advancement of universal service.

13. Security Equipment Payments

1) A security equipment grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at up to \$12,000,000 in fiscal year 2021 and \$12,000,000 in fiscal year 2022 in conjunction with the Virginia Public School Authority technology notes program authorized in C.12. of this Item. Proceeds of the notes will be used to help offset the related costs associated with the purchase of appropriate security equipment that will improve and help ensure the safety of students attending public schools in Virginia.

2) The Department of Education shall authorize estimated amounts as indicated in Table 1 from the Literary Fund to provide debt service payments for the security equipment grant programs conducted through the Virginia Public School Authority in the referenced years.

Table 1

<b>Grant Year</b>	<b>FY 2021</b>	<b>FY 2022</b>
2016	\$1,233,750	
2017	\$1,246,000	\$1,249,500
2018	\$1,273,500	\$1,273,500
2019	\$1,258,500	\$1,261,750
2020	\$2,430,288	\$2,430,750
2021		<del>\$2,565,690</del>
		\$2,429,780

3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2022-2024, 2024-2026, and 2026-2028 biennial budgets for public education, the Department of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2023, 2024, 2025, 2026, and 2027.

4) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes on such date, there is hereby appropriated to the Virginia Public School Authority from the general fund a sum equal to such deficiency.

5) The Chairman of the Board of Commissioners of the Virginia Public School Authority shall, on or before November 1 of each year, deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds and notes issued and projected to be issued during such biennium. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.

6) Grant award funds from the issuance of up to \$12,000,000 in fiscal year 2021 and \$12,000,000 in fiscal year 2022 in equipment notes shall be distributed to eligible school

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

divisions. The grant awards will be based on a competitive grant basis of up to \$250,000 per school division. School divisions will be permitted to apply annually for grant funding. For purposes of this program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2020, for the fiscal year 2021 issuance, and September 30, 2021, for the fiscal year 2022 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, and the Virginia School for the Deaf and the Blind.

7) School divisions would submit their application to Department of Education by August 1 of each year based on the criteria developed by the Department of Education in collaboration with the Department of Criminal Justice Services who will provide requested technical support. Furthermore, the Department of Education will have the authority to make such grant awards to such school divisions.

8) It is also the intent of the General Assembly that, beginning with fiscal year 2020, the total amount of the grant awards shall not exceed \$60,000,000 over any ongoing revolving five year period.

9) Required local match:

a) Localities are required to provide a match for these funds equal to 25 percent of the grant amount. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match requirement.

b) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.

c) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.

14. Virginia Preschool Initiative Payments

a.1) It is the intent of the General Assembly that a payment estimated at \$55,805,681 the first year and ~~\$107,086,043~~ \$85,161,919 the second year from the general fund and \$16,600,000 the first year from federal funds shall be disbursed by the Department of Education to schools and community-based organizations to provide quality preschool programs for at-risk four-year-olds who are residents of Virginia and unserved by Head Start program funding and for at-risk five-year-olds who are not eligible to attend kindergarten.

2) These state funds and required local matching funds shall be used to provide programs for at-risk four-year-old children, which include quality preschool education, health services, social services, parental involvement and transportation. It shall be the policy of the Commonwealth that state funds and required local matching funds for the Virginia Preschool Initiative not be used for capital outlay, not be used to supplant any Head Start federal funds provided for local early education programs, and not be used until the local Head Start grantee certifies that all local Head Start slots are filled. Programs must provide full-day or half-day and, at least, school-year services.

3) 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 school division and the school divisions must certify that the Virginia Preschool Initiative program follows the established standards 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.

4) a) Grants shall be distributed based on an allocation formula providing the state share of a \$6,326 per pupil grant in the first year and a \$7,655 per pupil grant in the second year for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program. The

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

number of unserved at-risk four-year-olds in each locality shall be based on the projected number of kindergarten students, updated once each biennium for the Governor's introduced biennial budget. Grants to half-day programs shall be funded based on the state share of \$3,163 in the first year and \$3,828 in the second year per unserved at-risk four-year-old in each locality.

b) Out of this appropriation, ~~\$6,117,049~~ \$5,487,917 the second year from the general fund is provided to serve at-risk three-year-olds who are residents of Virginia and unserved by Head Start funding on a pilot basis using criteria as determined by the Department of Education. Localities may apply to participate in the pilot by May 15 each year and shall be selected on a competitive basis. Pilot providers shall be required to: (i) demonstrate broad stakeholder support, (ii) track outcomes for participating children, (iii) demonstrate how they will maximize federal and state funds to preserve existing birth to five slots, including certifying that all local Head Start slots are filled, (iv) support inclusive practices of children with identified special needs, and (v) collaborate among the school division, local department of social services, programs accepting child care subsidy payments, and providers for Head Start, private child care, and early childhood special education and early intervention programs. In addition, localities shall be selected using other criteria that include prioritizing: (i) communities with limited child care options; (ii) programs serving children in private, mixed-delivery settings; or (iii) communities that demonstrate full support of public and private providers. Grants shall be distributed based on an allocation formula providing the state share of a \$7,655 per pupil grant in the second year. Grants to half-day programs shall be funded based on the state share of \$3,828 in the second year.

c) Full-day programs shall operate for a minimum of five and one-half instructional hours, excluding breaks for meals, and half-day programs shall operate for a minimum of three hours of classroom instructional time per day, excluding breaks for lunch. Virginia Preschool Initiative programs may include unstructured recreational time that is intended to develop teamwork, social skills, and overall physical fitness in any calculation of total instructional time, provided that such unstructured recreational time does not exceed 15 percent of total instructional time or teaching hours. No additional state funding is provided for programs operating greater than three hours per day but less than five and one-half hours per day. In determining the state and local shares of funding, the composite index of local ability-to-pay is capped at 0.5000.

d) For new programs in the first year of implementation only, programs operating less than a full school year shall receive state funds on a fractional basis determined by the pro-rata portion of a school year program provided. In determining the prorated state funds to be received, a school year shall be 180 days or 990 teaching hours.

e) To ensure children with special needs have equitable opportunity to enter kindergarten ready, all Virginia Preschool Initiative programs are expected to be inclusive of children with disabilities. Specifically, programs shall meet or exceed a target inclusion rate, such that 10 percent of all children participating in the Virginia Preschool Initiative are children with disabilities, defined as those with an Individualized Education Plan, and are served in inclusive classrooms that include children who do not have an Individualized Education Plan. A program that is unable to meet this target shall provide reasons a 10 percent inclusion rate was not achieved in the given school year in its annual comprehensive report.

b.1) Any locality that desires to participate in this grant program must submit a proposal through its chief administrator (county administrator or city manager) by May 15 of each year. The chief administrator, in conjunction with the school superintendent, 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 children, which demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk four-year-old children. Starting in fiscal year 2022, localities may apply for additional funds to serve at-risk three-year-old children on a pilot basis.

2) The proposal must demonstrate coordination with all parties necessary for the successful delivery of comprehensive services, including the schools, child care providers, local social services agency, Head Start, local health department, and other groups

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

identified by the lead agency. The proposal must identify which entities were consulted and how the locality will ensure that federal funds are preserved and maximized including demonstrating compliance with Title I of the federal Elementary and Secondary Education Act to ensure that a Local Educational Agency receiving Title I funding coordinates with Head Start programs and other early learning programs receiving federal funds by developing Memorandums of Understanding with such agencies to coordinate services. The proposal must also demonstrate a plan for supporting inclusive practices for children with identified special needs.

3) A local match, based on the composite index of local ability-to-pay, shall be required. For purposes of meeting the local match, localities may use local expenditures for existing qualifying programs, however, at least fifty percent of the local match will be cash and no more than fifty percent will be in-kind. In-kind contributions are defined as cash outlays that are made by the locality that benefit the program but are not directly charged to the program. The value of fixed assets cannot be considered as an in-kind contribution. Philanthropic or other private funds may be contributed to the locality to be appropriated in their local budget and then utilized as local match. Localities shall also continue to pursue and coordinate other funding sources, including child care subsidies. Funds received through this program must be used to supplement, not supplant, any funds currently provided for programs within the locality. However, in the event a locality is unable to continue the previous level of support to programs for at-risk four-year-olds from Title I of the federal Elementary and Secondary Education Act (ESEA), the state and local funds provided in this grants program may be used to continue services to these Title I students. Such inability may occur due to adjustments to the allocation formula in the reauthorization of ESEA as the Every Student Succeeds Act of 2015, or due to a percentage reduction in a locality's Title I allocation in a particular year. Any locality so affected shall provide written evidence to the Superintendent of Public Instruction and request his approval to continue the services to Title I students.

c. Local plans must provide clear methods of service coordination for the purpose of reducing the per child cost for the service, increasing the number of at-risk children served and/or extending services for the entire year. Examples of these include:

- 1) "Wraparound Services" -- methods for combining funds such as child care subsidy dollars administered by local social service agencies with dollars for quality preschool education programs.
- 2) "Wrap-out Services" - methods for using grant funds to purchase quality preschool services to at-risk four-year-old children through an existing child care setting by purchasing comprehensive services within a setting which currently provides quality preschool education.
- 3) "Expansion of Service" - methods for using grant funds to purchase slots within existing programs, such as Head Start, which provides comprehensive services to at-risk three- and four-year-old children.

d. Local plans must indicate the number of at-risk 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 2015-2016 programs 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 a division's slots may be filled based on locally established eligibility criteria so as to meet the unique needs of at-risk children in the community. If applicable, local plans must also indicate the number of at-risk three-year-old children to be served using the same eligibility criteria listed above. Localities that can demonstrate that more than 15 percent of slots are needed to meet the needs of at-risk children in their community may apply for a waiver from the Superintendent of Public Instruction to use a larger percentage of their slots. Localities must demonstrate that increasing eligibility will enable the maximization of federal funds and will not have a negative impact on access for other individuals currently being served.

e.1) The Department of Education shall provide technical assistance for the administration of this grant program to provide assistance to localities in developing a comprehensive, coordinated, quality preschool program that prepares all participants for kindergarten.

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
2) The Department shall provide interested localities with information on models for service delivery, methods of coordinating funding streams, such as funds to match federal IV-A child care dollars, to maximize funding without supplanting existing sources of funding for the provision of services to at-risk three- and four-year-old children. A priority for technical assistance in the design of programs shall be given to localities where the majority of the at-risk three- and four-year-old population is currently unserved.				
f. The Department of Education shall include in the program's application package specific information regarding the potential availability of funding for supplemental grants that may be used for one-time expenses, other than capital, related to start-up or expansion of programs, with priority given to proposals for expanding the use of partnerships with either nonprofit or for-profit providers. Furthermore, the Department is mandated to communicate to all eligible school divisions the remaining available balances in the program's adopted budget, after the fall participation reports have been submitted and finalized for such grants.				
g. Out of this appropriation, <del>\$3,285,258</del> \$966,504 the second year from the general fund is provided to support Virginia Preschool Initiative slots to serve children on wait lists. In each year, unused grants distributed as provided in paragraph C.14.a.4. of this Item shall be redistributed based on guidelines established by the Department of Education subject to the appropriation available for this purpose. Such guidelines shall provide the criteria used to redistribute grants and provide for the notification of grants redistribution to programs no later than July 1 of each year. The Department shall conduct this process annually, and the redistribution shall not affect the allocation formula for the subsequent year.				
h.1) Out of this appropriation, <del>\$4,886,000</del> \$2,501,500 the second year from the general fund is provided to support an add-on grant per child for approximately 2,000 children to incentivize mixed-delivery of services through private providers. These add-on grants are intended to provide funds to minimize the difference between the amount of the per-pupil grant allocation and the per-pupil cost to serve a child in a community-based or private provider setting. Recipients of the add-on grants will be encouraged to support classrooms that support inclusive practices of children with special needs. Localities shall indicate in their plans submitted pursuant to C.14.b.1 of this Item how many of their Virginia Preschool Initiative slots will be provided in community-based or private provider settings to receive the add-on grant.				
2) The amount of these add-on grants shall vary by region and provide a grant of: (i) \$3,500 per child for divisions in Planning District 8, (ii) \$2,500 per child for divisions in Planning District 15, Planning District 23, and for the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, and (iii) \$1,500 per child in any other division.				
3) The Department of Education shall develop a plan to determine the magnitude of the gap between regional prevailing child care market rates and the Virginia Preschool Initiative per pupil amount. The Department shall establish a schedule designating the amount of the add-on grants for each school division for fiscal year 2023. The amount of the add-on grant plus the Virginia Preschool Initiative per pupil amount shall not exceed prevailing child care market rates in a particular region. The Department shall report on the established schedule to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by September 30, 2021.				
i. The Department of Education shall develop a plan to determine, recognize, and biennially rebenchmark the per-student funding amount of the Virginia Preschool Initiative, similar to the current formula supporting public K-12 education in Virginia. In developing such plan, the Department shall (i) identify needs to implement such plan, including reporting from local school divisions, (ii) include relevant stakeholders, including school division finance staff and local Virginia Preschool Initiative administrators, (iii) identify any legislative or Appropriation Act amendments necessary for implementation, and (iv) plan for full implementation to benchmark the per-student funding amount of the Virginia Preschool Initiative.				
j. Out of this appropriation, <del>\$7,062,088</del> \$6,693,927 the second year from the general fund is provided to support increased Virginia Preschool Initiative teacher to student ratios and class sizes, as follows:				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
1) Any classroom that exceeds benchmarks set by the Board of Education shall be staffed as follows: (i) one teacher shall be provided for any class of ten students or less; (ii) if the enrollment in any class exceeds ten students but does not exceed 20, a full-time teacher's aide shall be assigned to the class; and (iii) the maximum class size shall be 20 students.				
2) All other classrooms shall be staffed as follows: (i) one teacher shall be employed for any class of nine students or less; (ii) if the enrollment in any class exceeds nine students but does not exceed 18, a full-time teacher's aide shall be assigned to the class; and (iii) the maximum class size shall be 18 students.				
k. Out of this appropriation, \$306,100 the first year and \$306,100 the second year from the general fund is allocated for the Department of Education to provide grants of no more than \$30,000 each for local school divisions that have applied for such funds for the sole purpose of providing financial incentives to provisionally licensed teachers teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division and who are actively engaged in coursework and professional development, toward achieving the required degree and license that satisfy the licensure requirements reflected in § 22.1-299, Code of Virginia. School divisions must submit applications to the Department of Education by December 1 of each year. Priority for awarding grants shall be given to hard-to-staff schools and schools with the highest number of provisionally licensed teachers teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division. The Department of Education shall develop the application process to be provided to school divisions that have provisionally licensed preschool teachers employed and are teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division.				
1. 1.) The Department of Education shall collect information from local Virginia Preschool Initiative programs and from pilot providers participating in the Virginia Early Childhood Foundation's pilot Mixed-Delivery Preschool Initiative established in Item 144 as needed to compile a comprehensive report on the usage of state funds detailing, but not limited to the number of calculated slots and funding allocated to each local program or pilot provider, and the number of such slots that have been filled.				
2.) Such comprehensive report shall be aggregated in a manner to identify: (i) funding and the number of slots used to serve a student in a public school and non-public school setting, (ii) the number of three-year olds served, (iii) waitlist slots requested, offered, and provided, (iv) the number of students served whose families are at or below 130 percent poverty, above 130 percent but at or below 200 percent of poverty, above 200 percent but at or below 350 percent of poverty, and above 350 percent of poverty.				
3.) Such comprehensive report shall describe the Virginia Preschool Initiative programs' progress towards the target inclusion rate, such that 10 percent of all children enrolled in each program are children with disabilities, defined as those with an Individualized Education Plan. Virginia Preschool Initiative programs shall report the share of children with Individualized Education Plans in inclusive classrooms annually starting with the 2020-2021 school year. If the program's current inclusion rate falls below 10 percent, the program shall provide reasons a 10 percent inclusion rate was not achieved in the given school year and what actions the program could implement to increase its rate of inclusion in the next year.				
4.) Such comprehensive report shall include details regarding any supplemental grants awarded pursuant to paragraph f.				
5.) The Department shall submit such comprehensive report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 31 each year.				
6.) The Department shall develop a plan for comprehensive public reporting on early childhood expenditures, outcomes, and program quality to replace this reporting requirement. Such plan and subsequent reports shall consider the components included in this reporting requirement, and include all publicly-funded providers as defined in Chapter 860 and Chapter 861, 2020 Acts of Assembly. The plan shall identify any fiscal, legislative, or regulatory barriers to implementing such public reporting, and shall consider integration with the Department's School Quality Profiles. Such plan shall be submitted to the Chairs of the House				



<b>ITEM 145.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2021</b>	<b>FY2022</b>	<b>FY2021</b>	<b>FY2022</b>

Appropriations and Senate Finance and Appropriations Committees by December 1, 2020. In subsequent years, the Department of Education shall update and submit the report by December 1 of each year.

m. Out of this appropriation, \$2,320,370 the first year and \$2,807,846 the second year from the general fund is provided to support approximately an additional 609 Virginia Preschool Initiative slots that were previously filled under the Virginia Preschool Initiative Plus (VPI Plus). These slots are intended to hold harmless eight school divisions that participated in VPI Plus during the 2019-2020 school year, by allocating the same number of slots to those eight school divisions.

n. Out of this appropriation, ~~\$4,994,473~~ \$2,143,129 the second year from the general fund is provided as flexible funding available to supplement any of the other initiatives provided in section C.14 of this item. Additionally, within the fiscal year, any funds appropriated for Virginia Preschool Initiative Payments that are not awarded may be used as flexible funding to supplement any of the other initiatives provided in paragraph C.14 of this Item. The Department of Education shall prioritize serving at-risk four-year-old children when executing the flexibility provisions in this paragraph.

15. Early Reading Intervention Payments

a. An additional payment of \$27,103,087 the first year and ~~\$27,192,313~~ \$48,725,840 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing early reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests of any local school board which requests authority to use a test other than the state-provided test to ensure that such local test uses criteria for the early diagnosis of reading deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of five to one. The estimated number of students in each school division in each year shall be determined by multiplying the projected number of students reported in each school division's fall membership in grades kindergarten, 1, 2, and 3 by the percent of students who are determined to need services based on diagnostic tests administered in the most recent year that data is available in that school division and adjusted in the following manner:

	<b>Year 1</b>	<b>Year 2</b>
Kindergarten	100%	100%
Grade 1	100%	100%
Grade 2	100%	100%
Grade 3	100%	100%

c. These payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. At the beginning of the school year, local school divisions shall partner with the parents of those third grade students in the division who demonstrate reading deficiencies, discussing with them a developed plan for remediation and retesting. Such intervention programs, at the discretion of the local school division, may include, but not be limited to, the use of: special reading teachers; trained aides; full-time early literacy tutors; volunteer tutors under the supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class groups while the teacher provides direct instruction to the students who need extra assistance; or extended instructional time in the school day or year for these students. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

d. In the event that a school division does not use the diagnostic test provided by the Department of Education in the year that serves as the basis for updating the funding formula for this program but has used it in past years, the Department of Education shall use the most recent data available for the division for the state-provided diagnostic test.

e. The results of all reading diagnostic tests and reading remediation shall be discussed with the student and the student's parent prior to the student being promoted to grade four.

f. Funds appropriated for Standards of Quality Prevention, Intervention, and Remediation, Remedial Summer School, or At-Risk Add-On may also be used to meet the requirements of this program.

16. Standards of Learning Algebra Readiness Payments

a. An additional payment of \$15,213,962 the first year and ~~\$15,248,151~~ \$14,825,335 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing math intervention services to students in grades 6, 7, 8 and 9 who are at-risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on diagnostic tests which have been approved by the Department of Education. These amounts reflect \$200,000 the first year and \$200,000 the second year apportioned to each school division to account for the cost of the diagnostic test. The Department of Education shall review the tests to ensure that such local test uses state-provided criteria for diagnosis of math deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of ten to one. The estimate number of students in each school division shall be determined by multiplying the projected number of students reported in each school division's fall membership by the percent of students that qualify for the federal Free Lunch Program.

c. These payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

17. School Construction Grants Program Escrow

Notwithstanding the requirements of § 22.1-175.5, Code of Virginia, school divisions are permitted to withdraw funds from local escrow accounts established pursuant to § 22.1-175.5 to pay for recurring operational expenses incurred by the school division. Localities are not required to provide a local match of the withdrawn funds.

18. English as a Second Language Payments

A payment of \$74,642,794 the first year and ~~\$82,592,805~~ \$85,457,403 the second year from the general fund shall be disbursed by the Department of Education to local school divisions to support the state share of 18.5 professional instructional positions per 1,000 students in the first year and 20 professional instructional positions per 1,000 students in the second year for whom English is a second language. Local school divisions shall provide a local match based on the composite index of local ability-to-pay.

19. Special Education Instruction Payments

a. The Department of Education shall establish rates for all elements of Special Education Instruction Payments.

b. Out of the appropriations in this Item, the Department of Education shall make available, subject to implementation by the Superintendent of Public Instruction, an amount estimated at \$98,152,929 the first year and ~~\$101,152,929~~ \$76,776,448 the second year from the Lottery

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

Proceeds Fund for the purpose of the state's share of the tuition rates for approved public Special Education Regional Tuition school programs. Notwithstanding any contrary provision of law, the state's share of the tuition rates shall be based on the composite index of local ability-to-pay.

c.1. Out of the amounts for Financial Assistance for Categorical Programs, \$36,591,267 the first year and \$37,546,662 the second year from the general fund is appropriated to permit the Department of Education to enter into agreements with selected local school boards for the provision of educational services to children residing in certain hospitals, clinics, and detention homes by employees of the local school boards. The portion of these funds provided for educational services to children residing in local or regional detention homes shall only be determined on the basis of children detained in such facilities through a court order issued by a court of the Commonwealth. The selection and employment of instructional and administrative personnel under such agreements will be the responsibility of the local school board in accordance with procedures as prescribed by the local school board. State payments for the first year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2020 and the first three quarters of FY 2021. State payments for the second year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2021 and the first three quarters of FY 2022.

2. The Board of Education shall make recommendations for: (i) appropriate staffing and funding levels necessary for State Operated Programs (SOP) in regional and local detention centers to provide a quality education program; (ii) implementation of appropriate efficiencies in staffing practices in such programs; (iii) statutory and regulatory changes needed to implement the Board's findings; and (iv) appropriate programs to redirect any potential savings realized from implementation of the Board's findings.

In developing such recommendations, the Board shall consider: (i) the dramatic decrease in the Average Daily Population in detention centers over the course of two decades without a comparable decrease in state funding; (ii) establishing a system-wide staffing ratio that is comparable to those provided in Regional Alternative Education Programs and aligned with the staffing requirements provided in the federal Prison Rape Elimination Act; (iii) implementing efficiencies, such as sharing SOP instructional staff with participating school divisions, hiring part-time teachers and dually-certified teachers and principals, and utilizing a lead teacher in lieu of a full-time principal in programs with a low average daily population; (iv) changes to SOP operating agreements to facilitate more efficient staffing practices and to clarify the role of the state and school divisions in hiring and supervising SOP instructional staff; (v) increasing the use of enhanced distance learning; and (vi) the draft recommendations deliberated by the Commission on Youth from the 2020 study.

The Board shall convene a workgroup to assist in the development of such findings and recommendations and shall include staff members from the Senate Finance and Appropriations Committee, House Appropriations Committee, Department of Planning and Budget, the Virginia Department of Education, the Department of Juvenile Justice, the President of the Virginia Juvenile Detention Association or his/her designee, the Chair of the Virginia Commission on Youth or his/her designee, and other representatives the Board deems appropriate. Findings and recommendations shall be reported to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by November 1, 2021.

20. Vocational Education Instruction Payments

a. It is the intention of the General Assembly that the Department of Education explore initiatives that will encourage greater cooperation between jurisdictions and the Virginia Community College System in meeting the needs of public school systems.

b. This appropriation includes \$1,800,000 the first year and \$1,800,000 the second year from the Lottery Proceeds Fund for secondary vocational-technical equipment. A base allocation of \$2,000 each year shall be available for all divisions, with the remainder of the funding distributed on the basis of student enrollment in secondary vocational-technical courses. State funds received for secondary vocational-technical equipment must

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>be used to supplement, not supplant, any funds currently provided for secondary vocational-technical equipment within the locality. Local school divisions are not required to provide a local match in order to receive these state funds.</p>				
<p>c.1) This appropriation includes an additional \$2,000,000 the first year and \$2,000,000 the second year from the Lottery Proceeds Fund to update vocational-technical equipment to industry standards providing students with classroom experience that translates to the workforce.</p>				
<p>2) Of this amount, \$1,400,000 the first year and \$1,400,000 the second year is provided for vocational-technical equipment in high-demand, high-skill, and fast-growth industry sectors as identified by the Virginia Board of Workforce Development and based on data from the Bureau of Labor Statistics and the Virginia Employment Commission.</p>				
<p>3) Of this amount, \$600,000 the first year and \$600,000 the second year will be awarded based on competitive innovative program grants for high-demand and fast-growth industry sectors with priority given to state-identified challenged schools, the Governor's Science Technology, Engineering, and Mathematics (STEM) academies, and the Governor's Health Science Academies.</p>				
<p>d. This appropriation includes \$500,000 the first year and \$500,000 the second year from the Lottery Proceeds Fund to support credentialing testing materials for students and professional development for instructors in science, technology, engineering, and mathematics-health sciences (STEM-H) career and technical education programs.</p>				
<p>21. Adult Education Payments</p> <p>State funds shall be used to reimburse general adult education programs on a fixed cost per pupil or cost per class basis. No state funds shall be used to support vocational noncredit courses.</p>				
<p>22. General Education Payments</p> <p>a. This appropriation includes \$2,410,988 the first year and \$2,410,988 the second year from the Lottery Proceeds Fund to support Race to GED. Out of this appropriation, \$465,375 the first year and \$465,375 the second year shall be used for PluggedIn VA.</p> <p>b. This appropriation includes \$1,387,240 the first year and \$1,387,240 the second year from the Lottery Proceeds Fund to support Project Graduation and any associated administrative and contractual service expenditures related to this initiative.</p>				
<p>23. Individual Student Alternative Education Program (ISAEP) Payments</p> <p>Out of this appropriation, \$2,247,581 the first year and \$2,247,581 in the second year from the Lottery Proceeds Fund shall be provided for the secondary schools' Individual Student Alternative Education Program (ISAEP), pursuant to Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly.</p>				
<p>24. Foster Children Education Payments</p> <p>a. An additional state payment is provided from the Lottery Proceeds Fund for the prior year's local operations costs, as determined by the Department of Education, for each pupil not a resident of the school division providing his education (a) who has been placed in foster care or other custodial care within the geographical boundaries of such school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children; (b) who has been placed in an orphanage or children's home which exercises legal guardianship rights; (c) who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home; or (d) who is a student that was formerly in foster care upon reaching 18 years of age but who has not yet reached 22 years of age. For pupils included in subsection (d), the school division shall keep an accurate record of the number of days in which such child was enrolled in its public schools and shall be included in the division's certification provided to the Board of Education by July 1 each school year per § 22.1-101.1 C, Code of Virginia.</p> <p>b. This appropriation provides \$13,083,167 the first year and <del>\$11,528,816</del> \$12,926,842 the second year from the Lottery Proceeds Fund to support children attending public school who</p>				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>have been placed in foster care or other such custodial care across jurisdictional lines, as provided by subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these funds are not adequate to cover the full costs specified therein, the Department is authorized to expend unobligated balances in this Item for this support.</p>				
<p>25. Sales Tax Payments</p>				
<p>a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a portion of net revenue from the state sales and use tax, in support of the Standards of Quality (Title 22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion of August 3, 1982).</p>				
<p>b. Certification of payments and distribution of this appropriation shall be made by the State Comptroller.</p>				
<p>c. The distribution of state sales tax funds shall be made in equal bimonthly payments at the middle and end of each month.</p>				
<p>d. Included in this appropriation are the accelerated sales tax revenues attributable to §58.1-638 B., D., and F.1., Code of Virginia, and collected pursuant to §3-5.06 of this act.</p>				
<p>26. Adult Literacy Payments</p>				
<p>a. Appropriations in this Item include \$125,000 the first year and \$125,000 the second year from the general fund for the ongoing literacy programs conducted by Mountain Empire Community College.</p>				
<p>b. Out of this appropriation, the Department of Education shall provide \$100,000 the first year and \$100,000 the second year from the general fund for the Virginia Literacy Foundation grants to support programs for adult literacy including those delivered by community-based organizations and school divisions providing services for adults with 0-9th grade reading skills.</p>				
<p>27. Governor's School Payments</p>				
<p>a. Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of regular school year Governor's Schools based on each participating locality's composite index of local ability-to-pay. Participating school divisions must certify that no tuition is assessed to students for participation in this program.</p>				
<p>b.1) Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of summer residential Governor's Schools and Foreign Language Academies to be based on the greater of the state's share of the composite index of local ability-to-pay or 50 percent. Participating school divisions must certify that no tuition is assessed to students for participation in this program if they are enrolled in a public school.</p>				
<p>2) Out of the amounts for Governor's School Payments, \$41,000 the first year and \$41,000 the second year is provided to support the Hanover Regional Summer Governor's School for Career and Technical Advancement, which was established pursuant to Chapter 425, 2014 Acts of Assembly, and Chapter 665, 2015 Acts of Assembly.</p>				
<p>c. For the Summer Governor's Schools and Foreign Language Academies programs, the Superintendent of Public Instruction is authorized to adjust the tuition rates, types of programs offered, length of programs, and the number of students enrolled in order to maintain costs within the available state and local funds for these programs.</p>				
<p>d. It shall be the policy of the Commonwealth that state general fund appropriations not be used for capital outlay, structural improvements, renovations, or fixed equipment costs associated with initiation of existing or proposed Governor's schools. State general fund appropriations may be used for the purchase of instructional equipment for such schools, subject to certification by the Superintendent of Public Instruction that at least an equal amount of funds has been committed by participating school divisions to such purchases.</p>				
<p>e. The Board of Education shall not take any action that would increase the state's share of</p>				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

costs associated with the Governor's Schools as set forth in this Item. This provision shall not prohibit the Department of Education from submitting requests for the increased costs of existing programs resulting from updates to student enrollment for school divisions currently participating in existing programs or for school divisions that begin participation in existing programs.

f.1) Regular school year Governor's Schools are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs for each student attending a Governor's School up to a cap of 1,800 students per Governor's School in the first year and a cap of 1,800 students per Governor's School in the second year. This incremental per pupil payment shall be adjusted for the composite index of the school division that counts such students attending an academic year Governor's School in their March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the Governor's Schools for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the day that the student does not attend a Governor's School.

2) Students attending a revolving Academic Year Governor's School program for only one semester shall be counted as 0.50 of a full-time equivalent student and will be funded for only fifty percent of the full-year funded per pupil amount. Funding for students attending a revolving Academic Year program will be adjusted based upon actual September 30th and January 30th enrollment each fiscal year. For purposes of this Item, revolving programs shall mean Academic Year Governor's School programs that admit students on a semester basis.

3) Students attending a continuous, non-revolving Academic Year Governor's School program shall be counted as a full-time equivalent student and will be funded for the full-year funded per pupil amount. Funding for students attending a continuous, non-revolving Academic Year Governor's School program will be adjusted based upon actual September 30th student enrollment each fiscal year. For purposes of this Item, continuous, non-revolving programs shall mean Academic Year Governor's School programs that only admit students at the beginning of the school year. Fairfax County Public Schools shall not reduce local per pupil funding for the Thomas Jefferson Governor's School below the amounts appropriated for the 2003-2004 school year.

g. All regional Governor's Schools are encouraged to provide full-day grades 9 through 12 programs.

h. Out of the appropriation included in paragraph C. 38. of this item, ~~\$1,046,023~~ \$1,028,911 the second year from the general fund is provided in the Academic Year Governor's School funding allocation to increase the per pupil amount the second year as an add-on for a compensation supplement payment equal to 5.0 percent of base pay on July 1, 2021, for Academic Year Governor's School instructional and support positions.

i. Each Academic Year Governor's School shall set diversity goals for its student body and faculty, develop a plan to meet said goals in collaboration with community partners at public meetings, and such goals and plan shall be published on the school's website. Each school shall submit a report to the Governor by October 1 of each year on its goals and status of implementing its plan, and such report shall be published on the school's website. The report shall include, but not be limited to the following: utilization of universal screenings in feeder divisions; admission processes in place or under consideration that promote access for historically underserved students; and outreach and communication efforts deployed to recruit historically underserved students. The report shall include the racial/ethnic make-up and socioeconomic diversity of its students, faculty, and applicants.

28. School Nutrition Payments

It is provided that, subject to implementation by the Superintendent of Public Instruction, no disbursement shall be made out of the appropriation for school nutrition to any locality in which the schools permit the sale of competitive foods in food service facilities or areas during the time of service of food funded pursuant to this Item.

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
29. School Breakfast Payments				
<p>a. Out of this appropriation, \$1,437,082 the first year and <del>\$7,920,136</del> \$7,816,525 the second year from the Lottery Proceeds Fund is included to continue a state funded incentive program to maximize federal school nutrition revenues and increase student participation in the school breakfast program. These funds are available to any school division as a reimbursement for breakfast meals served that are in excess of the baseline established by the Department of Education. The per meal reimbursement shall be \$0.22; however, the department is authorized, but not required to reduce this amount proportionately in the event that the actual number of meals to be reimbursed exceeds the number on which this appropriation is based so that this appropriation is not exceeded.</p>				
<p>b. In order to receive these funds, school divisions must certify that these funds will be used to supplement existing funds provided by the local governing body and that local funds derived from sources that are not generated by the school nutrition programs have not been reduced or eliminated. The funds shall be used to improve student participation in the school breakfast program. These efforts may include, but are not limited to, reducing the per meal price paid by students, reducing competitive food sales in order to improve the quality of nutritional offerings in schools, increasing access to the school breakfast program, or providing programs to increase parent and student knowledge of good nutritional practices. In no event shall these funds be used to reduce local tax revenues below the level appropriated to school nutrition programs in the prior year. Further, these funds must be provided to the school nutrition programs and may not be used for any other school purpose.</p>				
<p>c.1) Out of this appropriation, \$1,074,000 the first year and \$1,074,000 the second year from the general fund is provided to fund an After-the-Bell Model breakfast program available on a voluntary basis to elementary, middle, and high schools where student eligibility for free or reduced lunch exceeds 45.0 percent for the participating eligible school, and to provide additional reimbursement for eligible meals served in the current traditional school breakfast program at all grade levels in any participating school. The Department of Education is directed to ensure that only eligible schools receive reimbursement funding for participating in the After-the-Bell school breakfast model. The schools participating in the program shall evaluate the educational impact of the models implemented that provide school breakfasts to students after the first bell of the school day, based on the guidelines developed by the Department of Education and submit the required report to the Department of Education no later than August 31 each year.</p>				
<p>2) The Department of Education shall communicate, through Superintendent's Memo, to school divisions the types of breakfast serving models and the criteria that will meet the requirements for this State reimbursement, which may include, but are not limited to, breakfast in the classroom, grab and go breakfast, or a breakfast after first period. School divisions may determine the breakfast serving model that best applies to its students, so long as it occurs after the instructional day has begun. The Department of Education shall monthly transfer to each school division a reimbursement rate of \$0.05 per breakfast meal that meets either of the established criteria in elementary schools and a reimbursement rate of \$0.10 per breakfast meal that meets either of the established criteria in middle or high schools.</p>				
<p>3) No later than July 1 each year, the Department of Education shall provide for a breakfast program application process for school divisions with eligible schools, including guidelines regarding specified required data to be compiled from the prior school year or years and for the upcoming school year program. The number of approved applications shall be based on the estimated number of sites that can be accommodated within the approved funding level. The Department of Education shall set criteria for establishing priority should the number of applications from eligible schools exceed the approved funding level. The reporting requirements must include: chronic absenteeism rates, student attendance and tardy arrivals, office discipline referrals, student achievement measures, teachers' and administrators' responses to the impact of the program on student hunger, student attentiveness, and overall classroom learning environment before and after implementation, and the financial impact on the division's school food program. Funded schools that do not provide data by August 31 are subject to exclusion from funding in the following year. The Department of Education shall collect and compile the results of the</p>				

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
breakfast program and shall submit the report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1 following each school year.				
30. Clinical Faculty and Mentor Teacher Program Payments				
This appropriation includes \$1,000,000 the first year and \$1,000,000 the second year from the Lottery Proceeds Fund to be paid to local school divisions for statewide Mentor Teacher Programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. This appropriation also includes \$318,750 the first year and \$318,750 the second year from the general fund for Clinical Faculty programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. Such programs shall include elements which are consistent with the following:				
a. An application process for localities and school/higher education partnerships that wish to participate in the programs;				
b. For Clinical Faculty programs only, provisions for a local funding or institutional commitment of 50 percent, to match state grants of 50 percent;				
c. Program plans which include a description of the criteria for selection of clinical faculty and mentor teachers, training, support, and compensation for clinical faculty and mentor teachers, collaboration between the school division and institutions of higher education, the clinical faculty and mentor teacher assignment process, and a process for evaluation of the programs;				
d. The Department of Education shall allow flexibility to local school divisions and higher education institutions regarding compensation for clinical faculty and mentor teachers consistent with these elements of the programs; and				
e. It is the intent of the General Assembly that no preference between pre-service or beginning teacher programs be construed by the language in this Item. School divisions operating beginning teacher mentor programs shall receive equal consideration for funding.				
31. Career Switcher/Alternative Licensure Payments				
Appropriations in this Item include \$279,983 the first year and \$279,983 the second year from the general fund to provide grants to school divisions that employ mentor teachers for new teachers entering the profession through the alternative route to licensure as prescribed by the Board of Education.				
32. Virginia Workplace Readiness Skills Assessment				
Appropriations in this Item include \$308,655 the first year and \$308,655 the second year from the general fund to provide support grants to school divisions for standard diploma graduates. To provide flexibility, school divisions may use the state grants for the actual assessment or for other industry certification preparation and testing.				
33. Early Reading Specialists Initiative				
a. An additional payment of \$1,476,790 the first year and \$1,476,790 the second year from the general fund shall be disbursed by the Department of Education to qualifying local school divisions for the purpose of providing a reading specialist for schools with a third grade that rank lowest statewide on the reading Standards of Learning (SOL) assessments. Funding for a reading specialist during the 2020-2022 biennium shall be based on the results of the Spring 2019 reading SOL assessments. Such schools shall be eligible to receive the state share of funding for both years of the biennium. Following certification from a school division that it will not participate in the program, the Department is authorized to identify additional eligible schools based upon the list of schools that rank lowest on the Spring 2019 SOL reading assessment.				
b. These payments shall be based on the state's share of the cost of providing one reading specialist per qualifying school.				
c. These payments are available to any school division with a qualifying school that certifies to the Department of Education that the division has hired a reading specialist to provide				



ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

direct services to children reading below grade level in the school to improve reading achievement for the purpose of creating additional instructional time for reading specialists to work with students reading below grade level to improve reading achievement.

d. These payments also are available to any school division with a qualifying school that certifies to the Department of Education that the division is supporting tuition for collegiate programs and instruction for currently employed instructional school personnel to earn the credentials necessary to meet licensure requirements to be endorsed as a reading specialist.

e. School divisions receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

f. Within the fiscal year, any funds not awarded from this program may be awarded to eligible schools under the Math/Reading Instructional Specialist Initiative.

34. Math/Reading Instructional Specialist Initiative

a. Included in this appropriation is \$1,834,538 the first year and \$1,834,538 the second year from the general fund in additional payments for reading or math instructional specialists at underperforming schools. From this amount, the state share of one reading or math specialist shall be provided to local school divisions with schools which rank lowest statewide on the Spring Standards of Learning (SOL) math or reading assessment. Funding for one math or reading specialist during the 2020-2022 biennium shall be based on the results of the Spring 2019 SOL assessments. Such schools shall be eligible to receive the state share of funding for both years of the biennium. If, following certification from a school division that it will not participate in the program, the Department is authorized to identify additional eligible schools based upon the list of schools that rank lowest on the Spring 2019 SOL math or reading assessment.

b. These payments are available to any school division with a qualifying school that certifies to the Department of Education that the division has (1) hired a math or reading instructional specialist, or (2) is supporting tuition for collegiate programs and instruction for currently employed instructional school personnel to earn the credentials necessary to meet licensure requirements to be endorsed as a math specialist or a reading specialist. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

c. School divisions that elect to use funding to support tuition for collegiate programs and instruction for currently employed instructional school personnel pursuant to paragraph b. shall provide documentation of these costs to the Department of Education prior to receiving state funds. The Department of Education shall provide state funding for the lesser of the actual cost or the state share of a math or reading specialist position per eligible school for funds used in such a manner.

d. The Department of Education is authorized to utilize available funding appropriated to the Early Reading Specialist Initiative contained in this Item to pay for instructional specialists at additional eligible schools, or to support tuition for collegiate programs and instruction for currently employed instructional school personnel at additional eligible schools to earn the credentials necessary to meet licensure requirements to be endorsed as an instructional specialist.

e. Within the fiscal year, any funds not awarded from this program may be awarded to eligible schools under the Early Reading Specialists Initiative.

f. The Department of Education may award prorated state funds for specialist positions filled after the beginning of the school year.

35. Broadband Connectivity Capabilities

By November 1 each year, school divisions shall report to the Department of Education the status of broadband connectivity capability of schools in the division on a form to be provided by the Department. Such report shall include school-level information on the method of Internet service delivery, the level of bandwidth capacity and the degree such

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

capacity is sufficient for delivery of school-wide digital resources and instruction, degree of internet connectivity via Wi-Fi, cost information related to Internet connectivity, data security, and such other pertinent information as determined by the Department of Education. The Department shall provide a summary of the division responses in a report to be made available on its agency Web site.

### 36. Infrastructure and Operations Per Pupil Funds

a. Out of this appropriation, an amount estimated at \$283,292,382 the first year and \$276,361,275 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated \$417.91 per pupil the first year and \$406.19 per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. Beginning in the second year, these funds shall be matched by the local government, based on the composite index of local ability-to-pay. Further, in order to receive this funding, the locality in which the school division is located shall appropriate these funds solely for educational purposes and shall not use such funds to reduce total local operating expenditures for public education below the amount expended by the locality for such purposes in the year upon which the 2018-20 biennial Standards of Quality expenditure data were based; provided however that no locality shall be required to maintain a per-pupil expenditure which is greater than the per pupil amount expended by the locality for such purposes in the year upon which the 2018-20 biennial Standards of Quality expenditure data were based. The Department of Education is authorized each year to temporarily suspend Infrastructure and Operations Per Pupil Allocation payments made to school divisions from Lottery funds to ensure that any shortfall in Lottery revenue can be accounted for in the remaining Infrastructure and Operations Per Pupil Allocation payments to be made for the year.

b. From the amounts listed above, funds are provided to ensure that small school divisions receive an Infrastructure and Operations payment of at least \$200,000 each year. Beginning in the second year, divisions receiving additional funds for a payment of at least \$200,000 shall only be required to provide the local match on the per pupil amount distributed in paragraph C.36.a.

c. Of the amounts listed above, no more than 70 percent the first year and no more than 60 percent the second year shall be used for recurring costs and at least 30 percent the first year and at least 40 percent the second year shall be spent on nonrecurring expenditures by the relevant school divisions. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, school buses, technology, and other expenditures related to modernizing classroom equipment, and debt service payments on school projects completed during the last 10 years. *The Department of Education shall consider such nonrecurring expenses by local school divisions from local funds to be credited toward their required local match under this program.*

d. Any lottery funds provided to school divisions from this item that are unexpended as of June 30, 2021, and June 30, 2022, shall be carried on the books of the locality to be appropriated to the school division in the following year.

### 37. Special Education Endorsement Program

a. Notwithstanding § 22.1-290.02, Code of Virginia, out of this appropriation, \$437,186 the first year and \$437,186 the second year from the general fund is provided for traineeships and program operation grants that shall be awarded to public Virginia institutions of higher education to prepare persons who are employed in the public schools of Virginia, state operated programs, or regional special education centers as special educators with a provisional license and enrolled either part-time or full-time in programs for the education of children with disabilities. Applicants shall be graduates of a regionally accredited college or university.

b. The award of such grants shall be made by the Department of Education, and the number of awards during any one year shall depend upon the amounts appropriated by the General Assembly for this purpose. The amount awarded for each traineeship shall be \$600 for a minimum of three semester hours of course work in areas required for the special education endorsement to be taken by the applicant during a single semester or summer session. Only

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

one traineeship shall be awarded to a single applicant in a single semester or summer session.

38. Compensation Supplement

a. Out of this appropriation, ~~\$233,738,033~~ \$217,091,983 the second year from the general fund and ~~\$759,098~~ \$757,515 the second year from the Lottery Proceeds Fund is provided for the state share of a payment of a 5.0 percent salary increase effective July 1, 2021 for funded SOQ instructional and support positions. Funded SOQ instructional positions shall include the teacher, school counselor, librarian, instructional aide, principal, and assistant principal positions funded through the SOQ staffing standards for each school division in the biennium. This amount includes ~~\$1,046,023~~ \$1,028,911 the second year from the general fund referenced in paragraph C. 27. h. for the Academic Year Governor's Schools for the state share of a payment of the following salary increases for instructional and support positions, and this amount includes ~~\$759,098~~ \$757,515 the second year from the Lottery Proceeds Fund referenced in paragraph C. 9. f. 4) for Regional Alternative Education Programs for the state share of a payment of the following salary increases for instructional and support positions.

b. It is the intent that the instructional and support position salaries are increased in school divisions throughout the state by at least an average of 5.0 percent during the biennium. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of up to a 5.0 percent salary increase the second year for funded SOQ instructional and support positions, effective July 1, 2021, to school divisions that certify to the Department of Education the average salary increase that has been or will have been provided during the 2020-2022 biennium to instructional and support personnel. The state funds for which the division is eligible to receive shall be matched by the local government, based on the composite index of local ability-to-pay, which shall be calculated using an effective date of July 1, 2021, as the basis for the local match requirement for both funded SOQ instructional and support positions.

c. The state share of funding provided to a school division in support of this compensation supplement shall be prorated for school divisions that provide less than an average 5.0 percent salary increase during the biennium; however, to access these funds, a school division must provide at least an average 2.0 percent salary increase during the biennium.

d. This funding is not intended as a mandate to increase salaries.

39. School Meals Expansion

Out of this appropriation, ~~\$4,100,000~~ \$0 the second year from the general fund is provided for local school divisions to reduce or eliminate the cost of school breakfast and school lunch for students who are eligible for reduced price meals under the federal National School Lunch Program and School Breakfast Program. The Department of Education is authorized to reduce this amount proportionately so as not to exceed this appropriation.

40. No Loss Funding

Out of this appropriation, \$242,642,957 the first year and ~~\$124,335,526~~ \$40,820,999 the second year from the general fund and \$36,000,000 the first year and \$40,000,000 the second year from the COVID-19 Relief Fund established in § 2.2-115.1, Code of Virginia, is provided to ensure that no school division loses state funding in the 2020-2022 biennium as compared to that school division's fiscal year 2021 and fiscal year 2022 state distributions as calculated in Chapter 56, 2020 Acts of Assembly, Special Session I. These payments account for declines in actual Fall Membership and projected Average Daily Membership as well as declines in Direct Aid program enrollment or participation during the 2020-2022 biennium as a result of the COVID-19 pandemic. These funds shall support operational costs of the Standards of Quality, Categorical, Incentive, and Lottery Funded programs delineated in this Item. In both fiscal years, such payments shall be updated for technical updates to Direct Aid student enrollments and program participation, as well as any increased revenue distributions. *In the second year, the Department of Education's calculations for No Loss payments shall account for one-time events that may have artificially inflated projected data.*

42. Alleghany County - Covington City School Division Consolidation Incentive

ITEM 145.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

Out of this appropriation, \$1,200,000 the second year from the general fund is provided as an incentive for the consolidation of the Alleghany County and Covington City school divisions. This incentive payment represents the first two installments of five \$600,000 payments as recommended for this consolidation incentive through the methodology contained in the Study on School Division Joint Contracting Incentives (Report Document 548, 2016). Beginning in fiscal year 2023 through fiscal year 2025, \$600,000 shall be provided each fiscal year as the incentive payment, with no adjustments.

43. COVID-19 Local Relief Payments

a. This item includes an appropriation estimated at \$12,910,256 in the first year from the general fund 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 this item, 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 that the final COVID-19 Local Relief Payments be updated for actual sales tax distributions through the final June monthly distribution in fiscal year 2021.

45. Supplemental Support for Accomack & Northampton

An additional state payment of \$2,000,000 the second year from the Lottery Proceeds Fund shall be disbursed to provide one-time support to Accomack and Northampton school divisions for teacher recruitment and retention efforts, including adjustments to salary scales to minimize misalignment to salary scales of adjacent counties. Disbursement of these funds is contingent on the division providing the required local share of a 5.0 percent compensation supplement included in paragraph C. 38.

46. Learning Loss Instructional Supports

An additional state payment estimated at \$39,999,970 the first year from the Lottery Proceeds Fund shall be disbursed to support the state share of \$156.54 per pupil the first year based on the estimated number of federal Free Lunch participants, in support of one-time programs and initiatives to address learning loss resulting from the COVID-19 pandemic. No local match is required to receive these state funds, and unexpended funds from the first year shall remain available in the second year.

School divisions are required to spend these payments on eligible programs, including: (i) extending the school year, (ii) summer school, (iii) tutoring, remediation and recovery, and supplemental afterschool programs, (vi) counseling and other student supports, (v) assessments to determine student progress and the need for access to these programs, (vi) other similar programs, and (vii) modifications to facilities to assist with COVID-19 mitigation strategies for in-person learning.

47. Albuterol and Valved Holding Chambers

Out of this appropriation, \$120,000 the second year from the general fund is allocated to support the purchase of albuterol and valved holding chambers in the public schools of the Commonwealth.

146. Not set out.

146.10 Not set out.

ITEM 146.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Total for Direct Aid to Public Education.....			<b>\$8,849,968,554</b>	<b>\$9,230,846,620</b> <i>\$9,185,659,923</i>
Fund Sources: General.....	\$6,857,617,198	<del>\$7,311,553,053</del> <i>\$7,180,933,220</i>		
Special.....	\$895,000	\$895,000		
Commonwealth Transportation.....	\$2,100,000	<del>\$1,470,000</del> <i>\$1,544,659</i>		
Trust and Agency.....	\$870,231,123	<del>\$773,903,334</del> <i>\$859,261,811</i>		
Dedicated Special Revenue.....	\$36,000,000	\$40,000,000		
Federal Trust.....	\$1,083,125,233	\$1,103,025,233		
Grand Total for Department of Education, Central Office Operations.....			<b>\$8,982,527,340</b>	<b>\$9,607,466,306</b> <i>\$9,562,279,609</i>
General Fund Positions.....	151.00	158.17		
Nongeneral Fund Positions.....	185.50	335.83		
Position Level.....	336.50	494.00		
Fund Sources: General.....	\$6,932,758,377	<del>\$7,383,311,635</del> <i>\$7,252,691,802</i>		
Special.....	\$6,164,257	\$6,164,257		
Commonwealth Transportation.....	\$2,379,612	<del>\$1,749,612</del> <i>\$1,824,271</i>		
Trust and Agency.....	\$870,910,801	<del>\$775,801,854</del> <i>\$861,160,331</i>		
Dedicated Special Revenue.....	\$36,000,000	\$40,000,000		
Federal Trust.....	\$1,134,314,293	\$1,400,438,948		
147. Not set out.				
148. Not set out.				
149. Not set out.				
150. Not set out.				
151. Not set out.				
152. Not set out.				
153. Not set out.				
154. Not set out.				
155. Not set out.				
155.10 Not set out.				
156. Not set out.				
157. Not set out.				
158. Not set out.				
159. Not set out.				
159.10 Not set out.				

ITEM 160.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
160.	Not set out.				
161.	Not set out.				
162.	Not set out.				
163.	Not set out.				
163.10	Not set out.				
164.	Not set out.				
165.	Not set out.				
166.	Not set out.				
167.	Not set out.				
167.10	Not set out.				
168.	Not set out.				
169.	Not set out.				
170.	Not set out.				
170.10	Not set out.				
171.	Not set out.				
172.	Not set out.				
173.	Not set out.				
174.	Not set out.				
174.10	Not set out.				
175.	Not set out.				
176.	Not set out.				
177.	Not set out.				
178.	Not set out.				
178.10	Not set out.				
179.	Not set out.				
180.	Not set out.				
181.	Not set out.				
182.	Not set out.				

ITEM 182.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
182.10	Not set out.			
183.	Not set out.			
184.	Not set out.			
185.	Not set out.			
186.	Not set out.			
186.10	Not set out.			
187.	Not set out.			
188.	Not set out.			
189.	Not set out.			
190.	Not set out.			
190.10	Not set out.			
191.	Not set out.			
192.	Not set out.			
193.	Not set out.			
194.	Not set out.			
195.	Not set out.			
195.10	Not set out.			
196.	Not set out.			
197.	Not set out.			
198.	Not set out.			
199.	Not set out.			
200.	Not set out.			
201.	Not set out.			
202.	Not set out.			
202.10	Not set out.			
<b>§ 1-19. UNIVERSITY OF VIRGINIA (207)</b>				
203.	Not set out.			
204.	Not set out.			

ITEM 205.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
205.	Not set out.				
206.	Not set out.				
206.10	Not set out.				
207.	Not set out.				
208.	Not set out.				
209.	Not set out.				
<b>University of Virginia's College at Wise (246)</b>					
210.	Not set out.				
211.	Not set out.				
212.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at.....			\$5,413,574	\$5,663,186 \$9,163,186
	Sponsored Programs (11004).....	\$5,413,574	\$5,663,186 \$9,163,186		
	Fund Sources: Higher Education Operating.....	\$5,413,574	\$5,663,186 \$9,163,186		
	Authority: Title 23.1 Chapter 22, Article 2, Code of Virginia.				
213.	Not set out.				
213.10	Not set out.				
	Total for University of Virginia's College at Wise.....			<b>\$51,655,675</b>	<b>\$53,118,899</b> <b>\$56,618,899</b>
	General Fund Positions.....	171.46	171.46		
	Nongeneral Fund Positions.....	202.24	202.24		
	Position Level.....	373.70	373.70		
	Fund Sources: General.....	\$22,092,157	\$23,305,769		
	Higher Education Operating.....	\$26,573,518	\$26,823,130 \$30,323,130		
	Debt Service.....	\$2,990,000	\$2,990,000		
	Grand Total for University of Virginia.....			<b>\$3,905,112,342</b>	<b>\$4,040,192,212</b> <b>\$4,043,692,212</b>
	General Fund Positions.....	1,260.24	1,260.24		
	Nongeneral Fund Positions.....	13,836.78	13,951.78		
	Position Level.....	15,097.02	15,212.02		
	Fund Sources: General.....	\$186,827,117	\$190,861,029		
	Higher Education Operating.....	\$3,650,100,760	\$3,781,146,718 \$3,784,646,718		
	Debt Service.....	\$68,184,465	\$68,184,465		
214.	Not set out.				
215.	Not set out.				



ITEM 216.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
216.	Not set out.				
217.	Not set out.				
218.	Not set out.				
219.	Not set out.				
219.10	Not set out.				
220.	Not set out.				
221.	Not set out.				
222.	Not set out.				
223.	Not set out.				
224.	Not set out.				
225.	Not set out.				
225.10	Not set out.				
226.	Not set out.				
227.	Not set out.				
228.	Not set out.				
229.	Not set out.				
230.	Not set out.				
230.10	Not set out.				
231.	Not set out.				
232.	Not set out.				
233.	Not set out.				
234.	Not set out.				
235.	Not set out.				
235.10	Not set out.				
236.	Not set out.				
236.10	Not set out.				
237.	Not set out.				
238.	Not set out.				

ITEM 239.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
239.	Not set out.				
240.	Not set out.				
240.10	Not set out.				
241.	Not set out.				
241.10	Not set out.				
242.	Not set out.				
243.	Not set out.				
244.	Not set out.				
244.10	Not set out.				
245.	Not set out.				
246.	Not set out.				
247.	Not set out.				
248.	Not set out.				
248.10	Not set out.				
249.	Not set out.				
249.10	Not set out.				
250.	Not set out.				
251.	Not set out.				
252.	Not set out.				
252.10	Not set out.				
253.	Not set out.				
253.10	Not set out.				
254.	Not set out.				
255.	Not set out.				
255.10	Not set out.				
256.	Not set out.				
256.10	Not set out.				
257.	Not set out.				

ITEM 257.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
257.10	Not set out.				
258.	Not set out.				
258.10	Not set out.				
259.	Not set out.				
259.10	Not set out.				
260.	Not set out.				
260.10	Not set out.				
261.	Not set out.				
261.10	Not set out.				
262.	Not set out.				
262.10	Not set out.				

**§ 1-20. IN-STATE UNDERGRADUATE TUITION MODERATION (980)**

262.50	Omitted.				
262.60	Not set out.				
	Total for In-State Undergraduate Tuition Moderation.....			\$0	\$0
262.80	Not set out.				
263.	Not set out.				
	TOTAL FOR OFFICE OF EDUCATION.....			\$21,464,734,893	\$22,423,411,617 \$22,381,724,920
	General Fund Positions.....	18,875.60	18,940.17		
	Nongeneral Fund Positions.....	42,279.01	42,551.84		
	Position Level.....	61,154.61	61,492.01		
	Fund Sources: General.....	\$9,341,159,593	<del>\$9,965,403,151</del> \$9,834,783,318		
	Special.....	\$42,567,364	\$47,567,364		
	Higher Education Operating.....	\$9,640,827,846	<del>\$9,795,875,304</del> \$9,799,375,304		
	Commonwealth Transportation.....	\$2,379,612	<del>\$1,749,612</del> \$1,824,271		
	Enterprise.....	\$7,479,910	\$7,479,910		
	Trust and Agency.....	\$871,100,801	<del>\$775,991,854</del> \$861,350,331		
	Debt Service.....	\$358,087,772	\$358,087,772		
	Dedicated Special Revenue.....	\$54,739,507	\$58,739,507		
	Federal Trust.....	\$1,146,392,488	\$1,412,517,143		

ITEM 264.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**OFFICE OF FINANCE**

264. Not set out.

**§ 1-21. DEPARTMENT OF ACCOUNTS (151)**

265. Not set out.

266. Not set out.

267. Not set out.

268.	Information Systems Management and Direction (71100).....			\$25,818,318	\$35,462,674
	Financial Oversight for Performance Budgeting System (71107).....	\$2,724,495	\$2,795,717		
	Financial Oversight for Cardinal System (71108).....	\$23,093,823	\$32,666,957		
	Fund Sources: Internal Service.....	\$25,818,318	\$35,462,674		

Authority: Title 2.2 Chapter 8, Code of Virginia

A. The appropriation for Financial Oversight for Performance Budgeting System and Financial Oversight for Cardinal System is sum sufficient and amounts shown are estimates from internal service funds for the Commonwealth's enterprise applications which shall be paid solely from revenues derived from charges for services. All users of the Commonwealth's enterprise applications shall be assessed a surcharge based on licenses, transactions, or other meaningful methodology as determined by the Secretary of Finance and the owner of the enterprise application, which shall be deposited in the fund. Additionally, the State Comptroller shall recover the cost of services provided for the administration of the fund through interagency transactions as determined by the State Comptroller.

1. Out of this appropriation, the Performance Budgeting System is appropriated \$2,724,495 the first year and \$2,795,717 the second year from internal service fund revenues.

2. Out of this appropriation, the Cardinal Financial System is appropriated \$23,093,823 the first year and \$20,902,457 the second year from internal service fund revenues.

3. Out of this appropriation, the Cardinal Human Capital Management (HCM) system is appropriated \$11,764,500 the second year from internal service fund revenues. The second year amount of \$11,764,500 represents nine months of operating costs incurred after the full transition to the new Cardinal HCM system during the second year. The operating costs incurred during the transition are funded through the Working Capital Advance included in paragraph B.1. of this Item.

4. The State Comptroller shall submit revised projections of revenues and expenditures for the internal service funds for the Commonwealth's enterprise applications and estimates of any anticipated changes to fee schedules in accordance with § 4-5.03 of this act.

5. In the event that expenses of the enterprise applications become due before costs have been fully recovered in the department's internal service fund, a treasury loan shall be provided to the department to finance these costs. This treasury loan shall be repaid from the proceeds collected in the funds.

B.1.a. The Department of Accounts, in coordination with the Department of Human Resource Management shall replace the Commonwealth Integrated Payroll/Personnel System (CIPPS) and the Personnel Management Information System and the Benefits Eligibility System (PMIS & BES) with an integrated Human Capital Management (HCM) system. In order to maximize the efficiencies and benefits of the current Commonwealth Enterprise Resource Planning system, Cardinal, along with establishing a single source of personnel and payroll information and to achieve greater security of sensitive personally identifiable information, such system shall be based on the HCM modules within the Cardinal Enterprise Resource

ITEM 268.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Planning application currently serving as the Commonwealth's financial system.</p> <p>b. A working capital advance of up to \$142,734,000 shall be provided to the Department of Accounts to pay the costs of replacing CIPPS and PMIS &amp; BES. This may include any costs necessary for the planning, development, configuration, and roll-out of the new HCM application, and any transitional post-production support operating costs prior to the full transition to the new system. These costs do not include costs necessary to ensure agencies are prepared for the implementation of the new application and the decommissioning of CIPPS and PMIS &amp; BES, such as interfaces from agency based systems. An additional amount of up to \$10,000,000 may be provided to be directed toward any unforeseen costs associated with the roll-out of the statewide Cardinal HCM system.</p> <p>c. The Department of Accounts and the Department of Human Resource Management shall recommend to the Governor a permanent system of governance over the new HCM application, which shall designate specifically which agencies have the responsibility for authority and control of the data in the new HCM application as well as responsibility for systems support and maintenance.</p> <p>2. The Secretary of Finance and Secretary of Administration shall approve the drawdowns from this working capital advance prior to the expenditure of funds. The State Comptroller shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance Committees of any approved drawdowns.</p> <p>3. Repayment of the working capital advance and ongoing systems operation, maintenance and support costs for the statewide Human Capital Management system shall be funded through an internal service fund for the enterprise application pursuant to paragraph A. of this Item.</p> <p><i>C.I.</i>In order to capitalize on the efficiencies and benefits of the successfully implemented Commonwealth Enterprise Resource Planning system, Cardinal, a Cardinal Governance Committee (CGC) shall be established to evaluate and recommend expansion options for the Cardinal Financials and Human Capital Management (HCM) applications. The CGC shall analyze expansion opportunities in both the financial and human resources arenas that will most benefit Commonwealth state agencies in meeting their agency missions and core objectives. Additionally, this evaluation will analyze opportunities that could possibly allow for the decommissioning of agency-based systems in favor of the Commonwealth's enterprise system to improve efficiency and cost effectiveness. Once these opportunities are evaluated and finalized, the CGC shall present recommendations to the Commonwealth's Secretary of Finance and Secretary of Administration for review by September 30, 2021. Upon their approval of any such recommendations, the Cardinal Program will have the authority to proceed with these projects, subject to available funding.</p> <p><i>2. In order to support and maintain the Cardinal project initiative, a working capital advance (WCA) of up to \$12,000,000 is provided to the Cardinal program as start-up funding in anticipation of final approved funding. No funds shall be drawn and expended from this WCA without the prior approval of the Secretary of Finance.</i></p>				
269.	Not set out.			
270.	Not set out.			
271.	Not set out.			
272.	Not set out.			
	Total for Department of Accounts.....		<b>\$43,356,360</b>	<b>\$52,923,517</b>
	General Fund Positions.....	115.00	115.00	
	Nongeneral Fund Positions.....	54.00	54.00	
	Position Level.....	169.00	169.00	

ITEM 272.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund Sources: General.....	\$13,572,366	\$13,407,366		
Special.....	\$995,689	\$995,689		
Internal Service.....	\$28,788,305	\$38,520,462		

**Department of Accounts Transfer Payments (162)**

273.	Not set out.			
274.	Revenue Stabilization Fund (73500).....		\$77,409,780	\$0 \$498,700,000
	Payments to the Revenue Stabilization Fund (73501).	\$77,409,780		\$0 \$498,700,000
	Fund Sources: General.....	\$77,409,780		\$0 \$498,700,000

Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia.

A. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The auditor shall, at the same time, provide his report on the 15 percent limitation and the amount that could be paid into the fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.

B. Out of this appropriation, \$77,409,780 the first year from the general fund attributable to actual tax collections for fiscal year 2019 shall be paid by the State Comptroller on or before June 30, 2021, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount is based on the certification of the Auditor of Public Accounts of actual tax revenues for fiscal year 2019. This appropriation meets the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia.

*C1. Out of this appropriation, \$498,700,000 from the general fund the second year is included as an advance reservation of any required deposit to the Revenue Stabilization Fund attributable to actual tax collections for fiscal year 2022, as determined by the Auditor of Public Accounts, for deposit to the Revenue Stabilization Fund in the 2022-2024 biennium.*

*2. The State Comptroller shall deposit the advance reservation of \$498,700,000 referenced in paragraph C.1., above, to the Revenue Reserve Fund as a reserve for the Revenue Stabilization Fund prior to June 30, 2022.*

*D. Notwithstanding the provisions of § 2.2-1829, E. or any other provision of law, the maximum combined amount in the Revenue Stabilization Fund and the Revenue Reserve Fund shall be set at 20 percent of the Commonwealth's average annual tax revenues derived from taxes on income and retail sales as certified by the Auditor of Public Accounts for the three fiscal years immediately preceding.*

275.	Not set out.			
276.	Not set out.			
277.	Personnel Management Services (70400).....		\$131,049,441	\$31,359,934 \$781,359,934
	Administration of Retirement and Insurance Programs (70415).....	\$100,000,000		\$0 \$750,000,000
	Employee Flexible Benefits Services (70420).....	\$31,049,441		\$31,359,934
	Fund Sources: General.....	\$100,000,000		\$0 \$750,000,000
	Trust and Agency.....	\$31,049,441		\$31,359,934

Authority: Title 2.2, Chapter 8, Code of Virginia.

A.1. On or before June 30, 2021, the State Comptroller shall deposit \$100,000,000 from the

ITEM 277.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
general fund into the Virginia Retirement System trust fund.				
2. From these funds, the Virginia Retirement System shall allocate an amount estimated at \$61,300,000 to the public school teacher plan, representing the expedited repayment to the Retirement System for the contributions that were deferred during the 2010-2012 biennium.				
3. Any remaining balance, estimated at \$38,700,000, shall be allocated to the health insurance credit plan for state employees to address the unfunded liability associated with that plan.				
<i>B. On or before June 30, 2022, the State Comptroller shall deposit \$750,000,000 from the general fund into the Virginia Retirement System trust fund. The Virginia Retirement System shall allocate these funds in the following manner in an effort to address the unfunded liabilities associated with each plan:</i>				
1. An amount estimated at \$219,156,316 to the state employee plan.				
2. An amount estimated at \$442,371,087 to the public school teacher plan.				
3. An amount estimated at \$10,957,816 to the State Police Officers' Retirement System.				
4. An amount estimated at \$19,886,407 to the Virginia Law Officers' Retirement System.				
5. An amount estimated at \$6,250,014 to the Judicial Retirement System.				
6. An amount estimated at \$8,522,746 to the health insurance credit plan for state employees.				
7. An amount estimated at \$12,013,013 to the health insurance credit plan for public school teachers.				
8. An amount estimated at \$30,438,378 to the group life insurance plan.				
9. An amount estimated at \$275,975 to the health insurance credit plan for Constitutional Officers and their employees.				
10. An amount estimated at \$121,754 to the health insurance credit plan for local social services employees.				
11. An amount estimated at \$6,494 to health insurance credit plan for the Registrars and their employees.				
278. Not set out.				
279. Not set out.				
279.10 Not set out.				
Total for Department of Accounts Transfer Payments.....			<b>\$2,083,512,741</b>	<b>\$2,217,295,824</b> <b>\$3,465,995,824</b>
Nongeneral Fund Positions.....	1.00	1.00		
Position Level.....	1.00	1.00		
Fund Sources: General.....	\$1,495,332,411	<del>\$1,628,895,000</del> \$2,877,595,000		
Trust and Agency.....	\$81,244,219	\$81,554,712		
Dedicated Special Revenue.....	\$506,936,111	\$506,846,112		
Grand Total for Department of Accounts.....			<b>\$2,126,869,101</b>	<b>\$2,270,219,341</b> <b>\$3,518,919,341</b>
General Fund Positions.....	115.00	115.00		
Nongeneral Fund Positions.....	55.00	55.00		
Position Level.....	170.00	170.00		

ITEM 279.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund Sources: General.....	\$1,508,904,777	<del>\$1,642,302,366</del> \$2,891,002,366		
Special.....	\$995,689	\$995,689		
Internal Service.....	\$28,788,305	\$38,520,462		
Trust and Agency.....	\$81,244,219	\$81,554,712		
Dedicated Special Revenue.....	\$506,936,111	\$506,846,112		

280. Not set out.

**§ 1-22. DEPARTMENT OF TAXATION (161)**

281. Not set out.

282. Revenue Administration Services (73200).....			\$61,232,085	<del>\$61,659,588</del> \$62,549,588
Tax Return Processing (73214).....	\$6,467,197	<del>\$6,519,013</del> \$7,159,013		
Customer Services (73217).....	\$12,353,531	<del>\$12,371,531</del> \$12,621,531		
Compliance Audit (73218).....	\$22,761,388	\$23,119,075		
Compliance Collections (73219).....	\$16,695,927	\$16,695,927		
Legal and Technical Services (73222).....	\$2,954,042	\$2,954,042		
Fund Sources: General.....	\$50,392,070	<del>\$50,819,573</del> \$51,709,573		
Special.....	\$10,118,172	\$10,118,172		
Dedicated Special Revenue.....	\$721,843	\$721,843		

Authority: Title 3.2; Title 58.1, Code of Virginia.

A. Pursuant to § 58.1-1803, Code of Virginia, the Tax Commissioner is hereby authorized to contract with private collection agencies for the collection of delinquent accounts. The State Comptroller is hereby authorized to deposit collections from such agencies into the Contract Collector Fund (§ 58.1-1803, Code of Virginia). Revenue in the Contract Collector Fund may be used to pay private collection agencies/attorneys and perform oversight of their operations, upgrade audit and collection systems and data interfaces, and retain experts to perform analysis of receivables and collection techniques. Any balance in the fund remaining after such payment shall be deposited into the appropriate general, nongeneral, or local fund no later than June 30 of each year.

B.1. The Department of Taxation is authorized to retain, as special revenue, its reasonable share of any court fines and fees to reimburse the department for any ongoing operational collection expenses.

2. Any form of state debt assigned to the Department of Taxation for collection may be collected by the department in the same manner and means as state taxes may be collected pursuant to Title 58.1, Chapter 18, Code of Virginia.

C. The Department of Taxation is hereby appropriated revenues from the Communications Sales and Use Tax Trust Fund to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-662, Code of Virginia.

D. The Tax Commissioner shall have the authority to waive penalties and grant extensions of time to file a return or pay a tax, or both, to any class of taxpayers when the Tax Commissioner in his discretion finds that the normal due date has, or would, cause undue hardship to taxpayers who were, or would be, unable to use electronic means to file a return or pay a tax because of a power or systems failure that causes the department's electronic filing or payment systems to be nonfunctional for all or a portion of a day on or about the due date for a return or payment.

E. The Department of Taxation is hereby appropriated Land Conservation Incentive Act fees imposed under § 58.1-513 C. 2., Code of Virginia, on the transferring of the value of the



ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

donated interest. The Code of Virginia specifies such fees will be used by the Departments of Taxation and Conservation and Recreation to recover the direct cost of administration incurred in implementing the Virginia Land Conservation Act.

F. In the event that the United States Congress adopts legislation allowing local governments, with the assistance of the Commonwealth, to collect delinquent local taxes using offsets from federal income taxes, the Department of Accounts shall provide a treasury loan to the Department of Taxation to finance the costs of modifying the agency's computer systems to implement this federal debt setoff program. This treasury loan shall be repaid from the proceeds collected from the offsets of federal income taxes collected on behalf of localities by the Department of Taxation.

G. 1. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code of Virginia, and Items 273 and 294 of this act. For the purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.

2. It is the intent of the General Assembly that all such revenues be distributed to counties, cities, and towns, the Department for the Deaf and Hard-of-Hearing, and for the costs of administering the Virginia Communications Sales and Use Tax.

H. Notwithstanding the provisions of § 58.1-478, Code of Virginia, effective July 1, 2011, every employer whose average monthly liability can reasonably be expected to be \$1,000 or more and the aggregate amount required to be withheld by any employer exceeds \$500 shall file the annual report required by § 58.1-478, Code of Virginia, and all forms required by § 58.1-472, Code of Virginia, using an electronic medium using a format prescribed by the Tax Commissioner. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the employer. All requests for waiver shall be submitted to the Tax Commissioner in writing.

I. Notwithstanding the provisions of § 58.1-214, Code of Virginia, the department shall not be required to mail its forms and instructions unless requested by a taxpayer or his representative.

J.1. Notwithstanding the provisions of § 58.1-609.12, Code of Virginia, no report on the fiscal, economic and policy impact of the miscellaneous Retail Sales and Use Tax exemptions under § 58.1-609.10, Code of Virginia, shall be required after the completion of the final report in the first five-year cycle of the study, due December 1, 2011. The Department of Taxation shall satisfy the requirement of § 58.1-609.12 that it study and report on the annual fiscal impact of the Retail Sales and Use Tax exemptions for nonprofit entities provided for in § 58.1-609.11, Code of Virginia, by publishing such fiscal impact on its website.

2. Notwithstanding the provisions of § 58.1-202, Code of Virginia, no report detailing the total amount of corporate income tax relief provided in Virginia shall be required after the completion of such report due on October 1, 2013. The Department of Taxation shall satisfy the requirement of § 58.1-202 that it issue an annual report detailing the total amount of corporate income tax relief provided in Virginia by publishing its Annual Report on its website.

- K. 1. Notwithstanding any provision of the Code of Virginia or this act to the contrary,
  - a. Effective January 1, 2013, all corporations are required to file estimated tax payments and their annual income tax return and final payment using an electronic medium in a format prescribed by the Tax Commissioner .
  - b. Effective July 1, 2013, every employer shall file the annual report required by § 58.1-478 and all forms required by § 58.1-472, Code of Virginia, using an electronic medium in a format prescribed by the Tax Commissioner.
  - c. Effective July 1, 2014, every employer shall file the annual report required by § 58.1-478 , not later than January 31 of the calendar year succeeding the calendar year in which

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
wages were withheld from employees.				
d. Effective January 1, 2015, for taxable years beginning on and after January 1, 2014, every pass-through entity shall file the annual return required by § 58.1-392, Code of Virginia, and make related payments using an electronic medium in a format prescribed by the Tax Commissioner.				
e. i. Effective until January 1, 2020, all estates and trusts are required to file estimated tax payments pursuant to § 58.1-490 et seq., Code of Virginia, and their annual income tax return pursuant to § 58.1-381, Code of Virginia, and final payment using an electronic medium in a format prescribed by the Tax Commissioner.				
ii. Effective January 1, 2020, annual income tax returns of estates and trusts required pursuant to § 58.1-381, Code of Virginia, that are prepared by an income tax return preparer, as defined in § 58.1-302, Code of Virginia, must be filed using an electronic medium in a format prescribed by the Tax Commissioner.				
f. Taxpayers subject to the taxes imposed pursuant to § 58.1-320 and required to pay estimated tax pursuant to § 58.1-490 et seq., shall be required to file and remit using an electronic medium in a format prescribed by the Tax Commissioner all installment payments of estimated tax and all payments made with regard to a return or an extension of time to file if (i) any one such payment exceeds or is required to exceed \$2,500, or if (ii) the taxpayer's total tax liability exceeds or can be reasonably expected to exceed \$10,000 in any taxable year beginning on or after January 1, 2021. This requirement shall apply to any payments made on and after July 1, 2021. The Department of Taxation shall provide reasonable advanced notice to taxpayers affected by this requirement.				
2.a. The Tax Commissioner shall have the authority to waive the requirement to file or pay by electronic means. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person required to use an electronic medium. All requests for waiver shall be submitted to the Tax Commissioner in writing.				
b. The Tax Commissioner shall have the authority to waive the requirement to file or pay by January 31. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person required to file or pay by January 31. All requests for waiver shall be submitted to the Tax Commissioner in writing.				
L.1. Notwithstanding any other provision of law, Retail Sales and Use Tax returns and payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the June 2012 return, due July 2012, for monthly filers and, for less frequent filers, with the first return they are required to file after July 1, 2013.				
2. Notwithstanding any other provision of law, Out-of-State Dealer's Use Tax and Business Consumer's Use Tax returns and payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the July 2017 return, due August 2017, for monthly filers and, for less frequent filers, with the first return they are required to file after August 1, 2017.				
3. The Tax Commissioner shall have the authority to waive the requirement to file by electronic means upon a determination that the requirement would cause an undue hardship. All requests for waiver shall be transmitted to the Tax Commissioner in writing.				
M. The Department of Taxation is hereby appropriated revenues from the Virginia Motor Vehicle Rental Tax to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-1741, Code of Virginia.				
N. Notwithstanding the provisions of § 58.1-490 et seq., Code of Virginia,				
1. Effective for taxable years beginning on or after January 1, 2015, a taxpayer shall be permitted to file a declaration of estimated tax with the Department of Taxation instead of with the commissioner of the revenue and notwithstanding the provisions of § 58.1-306, Code of Virginia, the department may so advise taxpayers.				
2. Effective January 1, 2015, every treasurer who receives an estimated income tax return, declaration or voucher pursuant to § 58.1-495 of the Code of Virginia shall transmit such				

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

return, declaration or voucher to the Department of Taxation using an electronic medium in a format prescribed by the Tax Commissioner.

O. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Department of Taxation is authorized to provide Form 1099 in an electronic format to taxpayers. The Tax Commissioner shall ensure that taxpayers may elect to receive the electronic version of the form.

P. The Department of Taxation is hereby appropriated revenues from the E-911 Wireless Tax to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 56-484.17:1, Code of Virginia.

Q. The Department of Taxation is hereby appropriated revenues from the assessment for expenses pursuant to §§ 38.2-400 and 38.2-403, Code of Virginia, to recover any costs related to the Insurance Premiums License Tax that are incurred by the Department of Taxation, as provided in § 58.1-2533, Code of Virginia.

R. The Department of Taxation is authorized to recover the administrative costs associated with debt collection initiatives under the U.S. Treasury Offset Program authorized by § 2.2-4809, not to exceed twenty percent of revenues generated pursuant to such debt collection initiatives. Such sums are in addition to any fees charged by outside collections contractors and/or enhanced collection revenues returned to the Commonwealth.

S.1. Notwithstanding any other provision of the Code of Virginia or this act to the contrary, effective July 1, 2015, the Department of Taxation is hereby authorized to charge a fee of \$5.00 per copy of a tax return requested by a taxpayer or a representative thereof.

2. The Tax Commissioner shall have the authority to waive such fee. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person requesting such copies. All requests for waiver shall be submitted to the Tax Commissioner in writing.

T. Notwithstanding any other provision of the Code of Virginia or this act to the contrary, effective January 1, 2016, the Department of Taxation shall not provide to the local commissioners of the revenue or any other local officials copies of federal tax forms or schedules, including but not limited to, federal Schedules C (1040), C-EZ (1040), D (1040), E (1040), or F (1040), or federal Forms 4562 or 2106, or copies of Virginia Schedule 500FED, unless such schedules or forms are attached to a Virginia income tax return and submitted to the department in an electronic format by the taxpayer.

U.1. Notwithstanding any other provision of law, Vending Machine Dealer's Sales Tax, Motor Vehicle Rental Tax and Fee, Communications Taxes, and Tobacco Products Tax returns shall be filed using an electronic medium prescribed by the Tax Commissioner beginning with the July 2016 return, due August 2016, for monthly filers and, for less frequent filers, with the first return they are required to file after July 1, 2016.

2. Notwithstanding any other provision of law, Litter Tax returns shall be filed and any payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the first return required to be filed after January 1, 2018.

3. The Tax Commissioner shall have the authority to waive the requirement to file by electronic means upon a determination that the requirement would cause an undue hardship. All requests for waiver shall be transmitted to the Tax Commissioner in writing.

V.1. Notwithstanding any other provision of law, effective July 1, 2017, the Department of Taxation shall charge a fee of \$275 for each request, except those requested by the local assessing officer, for a letter ruling to be issued pursuant to § 58.1-203, Code of Virginia, or for an advisory opinion issued pursuant to §§ 58.1-3701 or 58.1-3983.1, Code of Virginia; \$50 for each request for an offer in compromise with respect to doubtful collectability authorized by § 58.1-105, Code of Virginia; and \$100 for each request for permission to change a corporation's filing method pursuant to § 58.1-442, Code of Virginia.

2. The Tax Commissioner shall have the authority to waive such fees. Waivers shall be

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

granted only if the Tax Commissioner finds that such fee creates an unreasonable burden on the person making such request. All requests for waiver shall be submitted to the Tax Commissioner in writing.

3. Revenues received from the above fees shall be deposited into the general fund in the state treasury.

W. Notwithstanding the provisions of § 38.2-5601, Code of Virginia, the Department of Taxation shall not be required to update the Virginia Medical Savings Account Plan report after the completion of such report due on December 31, 2016.

X.1. Notwithstanding any other provision of law, any employer or payroll service provider that owns or licenses computerized data relating to income tax withheld pursuant to Article 16 (§ 58.1-460 et seq.) of Chapter 3 of Title 58.1 shall notify the Office of the Attorney General without unreasonable delay after the discovery or notification of unauthorized access and acquisition of unencrypted and unredacted computerized data containing a taxpayer identification number in combination with the income tax withheld for that taxpayer that compromises the confidentiality of such data and that creates a reasonable belief that an unencrypted and unredacted version of such information was accessed and acquired by an unauthorized person, and causes, or the employer or payroll provider reasonably believes has caused or will cause, identity theft or other fraud. With respect to employers, this requirement applies only to information regarding the employer's employees, and does not apply to information regarding the employer's customers or other non-employees.

Such employer or payroll service provider shall provide the Office of the Attorney General with the name and federal employer identification number of the employer as defined in § 58.1-460 that may be affected by the compromise in confidentiality. Upon receipt of such notice, the Office of the Attorney General shall notify the Department of Taxation of the compromise in confidentiality. The notification required under this provision that does not otherwise require notification under subsections A through L of § 18.2-186.6, Code of Virginia, shall not be subject to any other notification, requirement, exemption, or penalty contained in that section.

2. Notwithstanding any other provision of law, any income tax return preparer, as defined in § 58.1-302, who prepares any Virginia individual income tax return during a calendar year for which he has the primary responsibility for the overall substantive accuracy of the preparation thereof shall notify the Department of Taxation without unreasonable delay after the discovery or notification of unauthorized access and acquisition of unencrypted and unredacted return information that compromises the confidentiality of such information and that creates a reasonable belief that an unencrypted and unredacted version of such information was accessed and acquired by an unauthorized person, and causes, or such preparer reasonably believes has caused or will cause, identity theft or other fraud.

Such income tax return preparer shall provide the Department of Taxation with the name and taxpayer identifying number of any taxpayer that may be affected by the compromise in confidentiality, as well as the name of the income tax return preparer, his preparer tax identification number, and such other information as the Department may prescribe.

Y.1. Every payment settlement entity required to file information returns under § 6050W of the Internal Revenue Code shall, within thirty days of the relevant federal deadline for filing such returns, submit to the Department of Taxation electronically either (i) a duplicate of all such information returns or (ii) a duplicate of such information returns related to participating payees with a Virginia state address or Virginia state taxpayers.

2. All third-party settlement organizations, as defined in § 6050W of the Internal Revenue Code, shall report to the Department of Taxation electronically, and to any participating payee, within 30 days of the relevant federal deadline for reporting such information, all information specified by § 6050W of the Internal Revenue Code with respect to reportable payment transactions made on or after January 1, 2020 to such participating payee. For purposes of determining whether a third-party settlement organization is subject to this requirement, the de minimis limitations of § 6041(a) of the Internal Revenue Code shall apply mutatis mutandis in lieu of the de minimis limitations of § 6050W of the Internal Revenue Code. This requirement shall apply only with respect to participating payees with a Virginia mailing address.

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
3. The Tax Commissioner shall have the authority to waive the requirement to submit this information upon a determination that the requirement would cause an unreasonable burden. In addition, the Tax Commissioner shall have the authority to waive the requirement to submit this information electronically upon a determination that the requirement would cause an unreasonable burden. All requests for waiver shall be transmitted to the Tax Commissioner in writing.				
Z. The Department of Taxation is hereby appropriated revenues from the Disposable Plastic Bag Tax to recover any administrative costs for collecting the tax incurred by the Department of Taxation as provided by § 58.1-3835 (C), Code of Virginia.				
AA. The Department of Taxation is hereby appropriated revenues from the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia to recover any administrative costs for implementing the tax on heated tobacco products incurred by the Department of Taxation as provided by Item 3-5.21(D) of this Act.				
BB.1. Notwithstanding § 58.1-1803 A, or any other provision of law, the Department of Taxation may appoint a collector in any county or city, including the treasurer thereof, to collect delinquent state taxes at any time, even if such delinquent state taxes were not assessed at least 90 days previously therein.				
2. Notwithstanding § 58.1-1803 B, or any other provision of law, the Department of Taxation may appoint collectors or contract with collection agencies to collect delinquent state taxes at any time, even if such delinquent state taxes were not assessed at least 90 days previously therein.				
283. Not set out.				
284. Not set out.				
Total for Department of Taxation.....			<b>\$119,592,795</b>	<b>\$120,185,117</b> <b>\$121,075,117</b>
General Fund Positions.....	905.00	905.00		
Nongeneral Fund Positions.....	56.00	56.00		
Position Level.....	961.00	961.00		
Fund Sources: General.....	\$107,110,104	\$107,702,426 \$108,592,426		
Special.....	\$11,760,848	\$11,760,848		
Dedicated Special Revenue.....	\$721,843	\$721,843		
285. Not set out.				
286. Not set out.				
287. Not set out.				
287.10 Not set out.				

**§ 1-23. TREASURY BOARD (155)**

288. Bond and Loan Retirement and Redemption (74300).....			\$854,158,182	\$901,282,264 \$891,532,327
Debt Service Payments on General Obligation Bonds (74301).....	\$59,201,904	\$56,975,915		
Capital Lease Payments (74302).....	\$4,757,375	\$4,756,000		
Debt Service Payments on Public Building Authority Bonds (74303).....	\$289,399,059	\$307,513,491 \$305,748,686		

ITEM 288.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Debt Service Payments on College Building Authority Bonds (74304).....	\$500,799,844	<del>\$532,036,858</del> \$524,051,726		
Fund Sources: General.....	\$815,557,436	<del>\$863,243,052</del> \$853,483,113		
Higher Education Operating.....	\$31,526,576	\$31,526,576		
Dedicated Special Revenue.....	\$645,000	\$645,000		
Federal Trust.....	\$6,429,170	<del>\$5,867,636</del> \$5,877,638		

Authority: Title 2.2, Chapter 18, Code of Virginia; Article X, Section 9, Constitution of Virginia.

A. The Director, Department of Planning and Budget is authorized to transfer appropriations between Items in the Treasury Board to address legislation affecting the Treasury Board passed by the General Assembly.

B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the following amounts are hereby appropriated from the general fund for debt service on general obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of Virginia:

Series	FY 2021		FY 2022	
	General Fund	Federal Funds	General Fund	Federal Funds
2012 Refunding	\$4,129,700	\$0	\$4,029,200	\$0
2013 Refunding	\$14,535,250	\$0	\$14,079,000	\$0
2015B Refunding	\$13,113,750	\$0	\$12,680,250	\$0
2016B Refunding	\$5,483,450	\$0	\$5,320,700	\$0
2019B Refunding	\$20,439,250	\$0	\$19,425,000	\$0
2019C Refunding	\$1,400,504	\$0	\$1,341,765	\$0
Projected debt service & expenses	\$100,000	\$0	\$100,000	\$0
<b>Total Service Area</b>	<b>\$59,201,904</b>	<b>\$0</b>	<b>\$56,975,915</b>	<b>\$0</b>

2. Out of the amounts for Debt Service Payments on General Obligation Bonds, sums needed to fund issuance costs and other expenses are hereby appropriated.

C. Out of the amounts for Capital Lease Payments, the following amounts are hereby appropriated for capital lease payments:

	FY 2021	FY 2022
Virginia Biotech Research Park, 2009	\$4,757,375	\$4,756,000
<b>Total Capital Lease Payments</b>	<b>\$4,757,375</b>	<b>\$4,756,000</b>

D.1. Out of the amounts for Debt Service Payments on Virginia Public Building Authority Bonds shall be paid to the Virginia Public Building Authority the following amounts for use by the authority for its various bond issues:

Series	FY 2021		FY 2022	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
2005D	\$0	\$0	\$0	\$0
2009A	\$4,682,863	\$0	\$4,683,497	\$0
2009C	\$1,087,310	\$0	\$1,088,090	\$0
2009D Refunding	\$0	\$0	\$0	\$0
2010A	\$15,480,344	\$126,725	\$0	\$0
2010B	\$33,944,941	\$3,121,053	\$33,924,754	<del>\$2,916,714</del> \$2,926,714
2011A STARS	\$630,375	\$0	\$630,375	\$0
2011A	\$12,909,250	\$0	\$12,909,875	\$0

ITEM 288.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
2011B	\$1,298,949	\$0	\$1,297,924	\$0	
			\$0		
2012A Refunding	\$6,557,350	\$0	\$6,551,700	\$0	
2013A	\$8,825,775	\$0	\$8,824,900	\$0	
2013B Refunding	\$17,243,625	\$0	\$17,245,000	\$0	
2014A	\$8,480,150	\$645,000	\$8,477,525	\$645,000	
2014B	\$2,010,580	\$0	\$2,011,088	\$0	
2014C Refunding	\$25,871,400	\$0	\$17,373,650	\$0	
2015A	\$17,339,870	\$0	\$17,342,870	\$0	
2015B Refunding	\$11,264,775	\$0	\$11,266,900	\$0	
2016A	\$14,387,050	\$0	\$14,389,800	\$0	
2016B Refunding	\$17,811,650	\$0	\$17,811,275	\$0	
2016C	\$11,658,000	\$0	\$11,656,000	\$0	
2016D	\$904,382	\$0	\$906,682	\$0	
2017A Refunding	\$6,722,850	\$0	\$6,722,850	\$0	
2018A	\$11,749,844	\$0	\$11,746,094	\$0	
2018B	\$1,229,590	\$0	\$1,229,490	\$0	
2019A	\$13,434,000	\$0	\$13,438,000	\$0	
2019B	\$10,159,150	\$0	\$10,157,525	\$0	
2019C	\$5,579,052	\$0	\$5,453,302	\$0	
2020A	\$7,540,326	\$0	\$15,721,700	\$0	
2020B Refunding	\$10,280,523	\$0	\$24,629,625	\$0	
2020C	\$2,058,711	\$0	\$6,620,033	\$0	
2021A	\$0	\$0	\$18,833,403	\$0	
2021B Refunding	\$0	\$0	\$104,144	\$0	
Projected debt service and expenses	\$363,596	\$0	\$19,841,253 \$426,825	\$0	
<b>Total Service Area</b>	<b>\$281,506,281</b>	<b>\$3,892,778</b>	<b>\$303,951,777</b> <b>\$302,176,972</b>	<b>\$3,561,714</b> <b>\$3,571,714</b>	

2.a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of the approved capital costs as determined by the Board of Corrections and other interest costs as provided in §§ 53.1-80 through 53.1-82.2 of the Code of Virginia, for the following:

Project	Commonwealth Share of Approved Capital Costs
Prince William – Manassas Regional Jail	\$21,032,421
Middle River Regional Jail - Expansion and Renovation	\$24,125,430
Henry County Jail	\$18,759,878
Chesapeake City Jail	\$6,860,886
Piedmont Regional Jail	\$2,139,464
Prince William – Manassas Regional Jail Expansion	\$678,387
Riverside Regional Jail	\$807,447
<b>Total Approved Capital Costs</b>	<b>\$74,403,913</b>

b. The Commonwealth's share of the total construction cost of the projects listed in the table in paragraph D.2.a. shall not exceed the amount listed for each project. Reimbursement of the Commonwealth's portion of the construction costs of these projects shall be subject to the approval of the Department of Corrections of the final expenditures.

c. This paragraph shall constitute the authority for the Virginia Public Building Authority to issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia.

E.1. Out of the amounts for Debt Service Payments on Virginia College Building

ITEM 288.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for use by the Authority for payments on obligations issued for financing authorized projects under the 21st Century College Program:				
<b>Series</b>	<b>FY 2021</b>		<b>FY 2022</b>	
2009E Refunding	\$26,967,750		\$26,971,250	
2010B	\$27,254,689		<del>\$27,021,208</del>	\$27,021,210
2011 A	\$10,295,250		\$0	
2012A	\$15,180,225		\$14,112,000	
2012B	\$19,726,350		\$17,970,850	
2013 A	\$15,300,459		\$13,340,250	
2014A	\$16,684,250		\$15,938,850	
2014B Refunding	\$195,400		\$195,400	
2015A	\$26,655,700		\$26,656,450	
2015B Refunding	\$27,432,898		\$27,429,861	
2015D	\$13,716,535		\$13,716,785	
2016A	\$19,471,600		\$19,472,600	
2016B Refunding	\$1,972,000		\$1,972,000	
2016C	\$4,432,507		\$4,431,735	
2017B Refunding	\$19,961,500		\$18,609,750	
2017C	\$31,465,500		\$31,470,250	
2017D	\$11,317,081		\$11,315,706	
2017E Refunding	\$26,711,750		\$35,956,750	
2019A	\$31,122,350		\$31,126,100	
2019B	\$9,985,500		\$9,982,250	
2019C Refunding	\$29,213,500		\$29,064,250	
2020A & B	\$22,691,465		\$22,693,075	
2020B Refunding	\$2,687,900		\$7,864,385	
2021A	\$0		\$32,914,866	
Projected 21st Century debt service & expenses	\$356,120		<del>\$40,416,604</del>	\$418,203
<b>Subtotal 21st Century</b>	<b>\$410,798,279</b>		<b><del>\$447,728,359</del></b>	<b>\$440,644,826</b>

2. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for the payment of debt service on authorized bond issues to finance equipment:

<b>Series</b>	<b>FY 2021</b>	<b>FY 2022</b>
2013A	\$9,450,000	\$0
2014A	\$9,660,000	\$0
2015A	\$10,479,250	\$10,479,000
2016A	\$11,066,750	\$11,063,750
2017A	\$11,851,750	\$11,852,250
2018	\$12,859,500	\$12,860,750
2019A	\$12,570,250	\$12,571,250
2020A	\$12,064,065	\$12,061,250
2021A	\$0	\$12,518,650
Projected debt service & expenses	\$0	<del>\$13,420,249</del>
		\$0
Subtotal Equipment	\$90,001,565	<del>\$84,308,499</del>
		\$83,406,900
<b>Total Service Area</b>	<b>\$500,799,844</b>	<b><del>\$532,036,858</del></b>
		<b>\$524,051,726</b>



ITEM 288.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

3. Beginning with the FY 2008 allocation of the higher education equipment trust fund, the Treasury Board shall amortize equipment purchases at seven years, which is consistent with the useful life of the equipment.

4. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds, the following nongeneral fund amounts from a capital fee charged to out-of-state students at institutions of higher education shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the 21st Century Program:

Institution	FY 2021	FY 2022
George Mason University	\$2,804,490	\$2,804,490
Old Dominion University	\$1,108,899	\$1,108,899
University of Virginia	\$5,006,754	\$5,006,754
Virginia Polytechnic Institute and State University	\$5,192,295	\$5,192,295
Virginia Commonwealth University	\$2,359,266	\$2,359,266
College of William and Mary	\$1,639,845	\$1,639,845
Christopher Newport University	\$131,508	\$131,508
University of Virginia's College at Wise	\$48,330	\$48,330
James Madison University	\$2,843,787	\$2,843,787
Norfolk State University	\$420,789	\$420,789
Longwood University	\$106,149	\$106,149
University of Mary Washington	\$234,834	\$234,834
Radford University	\$300,486	\$300,486
Virginia Military Institute	\$400,470	\$400,470
Virginia State University	\$773,577	\$773,577
Richard Bland College	\$10,830	\$10,830
Virginia Community College System	\$3,301,665	\$3,301,665
<b>TOTAL</b>	<b>\$26,683,974</b>	<b>\$26,683,974</b>

5. Out of the amounts for Debt Service Payments of College Building Authority Bonds, the following is the estimated general and nongeneral fund breakdown of each institution's share of the debt service on the Virginia College Building Authority bond issues to finance equipment. The nongeneral fund amounts shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the equipment program:

Institution	FY 2021		FY 2022	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
College of William & Mary	\$2,992,492	\$259,307	\$2,653,323	\$259,307
University of Virginia	\$16,277,138	\$1,088,024	<del>\$15,875,947</del> \$14,200,947	\$1,088,024
Virginia Polytechnic Institute and State University	\$16,204,292	\$992,321	\$15,139,747	\$992,321
Virginia Military Institute	\$903,953	\$88,844	<del>\$858,424</del> \$800,533	\$88,844
Virginia State University	\$1,394,946	\$108,886	\$1,275,939	\$108,886
Norfolk State University	\$1,011,086	\$108,554	<del>\$997,014</del> \$1,096,014	\$108,554
Longwood University	\$778,221	\$54,746	<del>\$730,450</del> \$691,450	\$54,746
University of Mary	\$1,142,531	\$97,063	<del>\$1,079,332</del>	\$97,063

ITEM 288.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Washington			\$1,204,332	
James Madison University	\$2,533,299	\$254,504	<del>\$2,213,725</del> \$2,063,725	\$254,504
Radford University	\$1,315,037	\$135,235	<del>\$1,123,031</del> \$948,031	\$135,235
Old Dominion University	\$5,850,888	\$374,473	<del>\$5,106,268</del> \$3,601,685	\$374,473
Virginia Commonwealth University	\$10,977,292	\$401,647	<del>\$10,004,070</del> \$9,208,584	\$401,647
Richard Bland College	\$177,408	\$2,027	\$163,209	\$2,027
Christopher Newport University	\$827,427	\$17,899	<del>\$789,369</del> \$739,369	\$17,899
University of Virginia's College at Wise	\$176,121	\$19,750	<del>\$166,863</del> \$221,818	\$19,750
George Mason University	\$4,998,921	\$205,665	<del>\$4,430,559</del> \$4,410,312	\$205,665
Virginia Community College System	\$16,235,987	\$633,657	<del>\$15,560,782</del> \$18,610,782	\$633,657
Virginia Institute of Marine Science	\$479,080	\$0	<del>\$461,150</del> \$556,150	\$0
Roanoke Higher Education Authority	\$86,971	\$0	\$80,089	\$0
Southwest Virginia Higher Education Center	\$89,759	\$0	\$82,656	\$0
Institute for Advanced Learning and Research	\$242,191	\$0	<del>\$230,881</del> \$282,881	\$0
Southern Virginia Higher Education Center	\$107,326	\$0	\$98,833	\$0
New College Institute	\$38,640	\$0	\$34,614	\$0
Eastern Virginia Medical School	\$317,961	\$0	<del>\$309,627</del> \$399,279	\$0
<b>TOTAL</b>	<b>\$85,158,967</b>	<b>\$4,842,602</b>	<del><b>\$79,465,902</b></del> <b>\$78,564,300</b>	<b>\$4,842,602</b>

F. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on Commonwealth Transportation Board bonds shall be paid to the Trustee for the bondholders by the Treasury Board after transfer of these funds to the Treasury Board from the Commonwealth Transportation Board pursuant to Item 452, paragraph E of this act and §§ 33.2-2300, 33.2-2400, and 58.1-816.1, Code of Virginia.

G. Under the authority of this act, an agency may transfer funds to the Treasury Board for use as lease, rental, or debt service payments to be used for any type of financing where the proceeds are used to acquire equipment and to finance associated costs, including but not limited to issuance and other financing costs. In the event such transfers occur, the transfers shall be deemed an appropriation to the Treasury Board for the purpose of making the lease, rental, or debt service payments described herein.

H. Notwithstanding the provisions of ~~2-2-11.56~~ 2.2-1156, Code of Virginia, if tax-exempt bonds were used by the Commonwealth or its authorities, boards, or institutions to finance the acquisition, construction, improvement or equipping of real property, proceeds from the subsequent sale or disposition of such property and any improvements may first be applied toward remediation options available under federal law in order to maintain the tax-exempt status of such bonds.

I. Out of this appropriation, \$4,000,000 the first year from the general fund is provided for the defeasance of the outstanding bonds on the Central Virginia Training Center.

ITEM 289.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Total for Treasury Board.....			<b>\$854,158,182</b>	<b>\$901,282,264</b> <i>\$891,532,327</i>
Fund Sources: General.....	\$815,557,436	\$863,243,052 <i>\$853,483,113</i>		
Higher Education Operating.....	\$31,526,576	\$31,526,576		
Dedicated Special Revenue.....	\$645,000	\$645,000		
Federal Trust.....	\$6,429,170	\$5,867,636 <i>\$5,877,638</i>		
290. Not set out.				
TOTAL FOR OFFICE OF FINANCE.....			<b>\$3,162,578,725</b>	<b>\$3,353,754,618</b> <i>\$4,593,594,681</i>
General Fund Positions.....	1,123.20	1,123.20		
Nongeneral Fund Positions.....	218.80	218.80		
Position Level.....	1,342.00	1,342.00		
Fund Sources: General.....	\$2,449,236,257	\$2,630,911,033 <i>\$3,870,741,094</i>		
Special.....	\$13,225,653	\$13,225,653		
Higher Education Operating.....	\$31,526,576	\$31,526,576		
Commonwealth Transportation.....	\$185,187	\$185,187		
Internal Service.....	\$28,788,305	\$38,520,462		
Trust and Agency.....	\$121,907,101	\$122,327,594		
Dedicated Special Revenue.....	\$511,280,476	\$511,190,477		
Federal Trust.....	\$6,429,170	\$5,867,636 <i>\$5,877,638</i>		

ITEM 291.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**OFFICE OF HEALTH AND HUMAN RESOURCES**

**§ 1-24. SECRETARY OF HEALTH AND HUMAN RESOURCES (188)**

291. Not set out.

**Children's Services Act (200)**

292.	Protective Services (45300).....			\$369,379,676	\$385,091,773
	Financial Assistance for Child and Youth Services (45303).....	\$369,379,676	\$385,091,773		
	Fund Sources: General.....	\$316,771,930	\$327,459,444		
	Federal Trust.....	\$52,607,746	\$57,632,329		

Authority: Title 2.2, Chapter 52, Code of Virginia.

A. The Department of Education shall serve as fiscal agent to administer funds cited in paragraphs B and C.

B.1.a. Out of this appropriation, \$260,642,978 the first year and \$268,974,546 the second year from the general fund and \$51,607,746 the first year and \$57,632,329 the second year from nongeneral funds shall be used for the state pool of funds pursuant to § 2.2-5211, Code of Virginia. This appropriation shall consist of a Medicaid pool allocation, and a non-Medicaid pool allocation.

b. The Medicaid state pool allocation shall consist of \$28,526,197 the first year and \$31,214,350 the second year from the general fund and \$43,187,748 the first year and \$48,212,331 the second year from nongeneral funds. The Office of Children's Services will transfer these funds to the Department of Medical Assistance Services as they are needed to pay Medicaid provider claims.

c. The non-Medicaid state pool allocation shall consist of \$232,116,781 the first year and \$237,760,196 the second year from the general fund and \$8,419,998 the first year and \$8,419,998 the second year from nongeneral funds. The nongeneral funds shall be transferred from the Department of Social Services.

d. The Office of Children's Services, with the concurrence of the Department of Planning and Budget, shall have the authority to transfer the general fund allocation between the Medicaid and non-Medicaid state pools in the event that a shortage should exist in either of the funding pools.

e. The Office of Children's Services, per the policy of the State Executive Council, shall deny state pool funding to any locality not in compliance with federal and state requirements pertaining to the provision of special education and foster care services funded in accordance with § 2.2-5211, Code of Virginia.

2.a. Out of this appropriation, \$53,620,114 the first year and \$55,666,865 the second year from the general fund and \$1,000,000 the first year and \$1,000,000 the second year from nongeneral funds shall be set aside to pay for the state share of supplemental requests from localities that have exceeded their state allocation for mandated services. The nongeneral funds shall be transferred from the Department of Social Services.

b. In each year, the director of the Office of Children's Services may approve and obligate supplemental funding requests in excess of the amount in 2a above, for mandated pool fund expenditures up to 10 percent of the total general fund appropriation authority in B1a in this Item.

c. The State Executive Council shall maintain local government performance measures to include, but not be limited to, use of federal funds for state and local support of the Children's Services Act.

d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

seek to ensure that services and funding are consistent with the Commonwealth's policies of preserving families and providing appropriate services in the least restrictive environment, while protecting the welfare of children and maintaining the safety of the public. Each locality shall submit to the Office of Children's Services information on utilization of residential facilities for treatment of children and length of stay in such facilities. By December 15 of each year, the Office of Children's Services shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees on utilization rates and average lengths of stays statewide and for each locality.

3. Each locality receiving funds for activities under the Children's Services Act (CSA) shall have a utilization management process, including a uniform assessment, approved by the State Executive Council, covering all CSA services. Utilizing a secure electronic site, each locality shall also provide information as required by the Office of Children's Services to include, but not be limited to case specific information, expenditures, number of youth served in specific CSA activities, length of stay for residents in core licensed residential facilities, and proportion of youth placed in treatment settings suggested by the uniform assessment instrument. The State Executive Council, utilizing this information, shall track and report on child specific outcomes for youth whose services are funded under the Children's Services Act. Only non-identifying demographic, service, cost and outcome information shall be released publicly. Localities requesting funding from the set aside in paragraph 2.a. and 2.b. must demonstrate compliance with all CSA provisions to receive pool funding.

4. The Secretary of Health and Human Resources, in consultation with the Secretary of Education and the Secretary of Public Safety and Homeland Security, shall direct the actions for the Departments of Social Services, Education, and Juvenile Justice, Medical Assistance Services, Health, and Behavioral Health and Developmental Services, to implement, as part of ongoing information systems development and refinement, changes necessary for state and local agencies to fulfill CSA reporting needs.

5. The State Executive Council shall provide localities with technical assistance on ways to control costs and on opportunities for alternative funding sources beyond funds available through the state pool.

6. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is provided for a combination of regional and statewide meetings for technical assistance to local community policy and management teams, family assessment and planning teams, and local fiscal agents. Training shall include, but not be limited to, cost containment measures, building community-based services, including creation of partnerships with private providers and non-profit groups, utilization management, use of alternate revenue sources, and administrative and fiscal issues. A state-supported institution of higher education, in cooperation with the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, may assist in the provisions of this paragraph. A training plan shall be presented to and approved by the State Executive Council before the beginning of each fiscal year. A training calendar and timely notice of programs shall be provided to Community Policy and Management Teams and family assessment and planning team members statewide as well as to local fiscal agents and chief administrative officers of cities and counties. A report on all regional and statewide training sessions conducted during the fiscal year, including (i) a description of each program and trainers, (ii) the dates of the training and the number of attendees for each program, (iii) a summary of evaluations of these programs by attendees, and (iv) the funds expended, shall be made to the Chairmen of the House Appropriations and Senate Finance Committees and to the members of the State Executive Council by December 1 of each year. Any funds unexpended for this purpose in the first year shall be reappropriated for the same use in the second year.

7. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the general fund is provided for the Office of Children's Services to contract for the support of uniform CSA reporting requirements.

8. The State Executive Council shall require a uniform assessment instrument.

9. The Office of Children's Services, in conjunction with the Department of Social Services, shall determine a mechanism for reporting Temporary Assistance for Needy

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Families Maintenance of Effort eligible costs incurred by the Commonwealth and local governments for the Children's Services Act.				
10. For purposes of defining cases involving only the payment of foster care maintenance, pursuant to § 2.2-5209, Code of Virginia, the definition of foster care maintenance used by the Virginia Department of Social Services for federal Title IV-E shall be used.				
C. The funding formula to carry out the provisions of the Children's Services Act is as follows:				
1. Allocations. The allocations for the Medicaid and non-Medicaid pools shall be the amounts specified in paragraphs B.1.b. and B.1.c. in this Item. These funds shall be distributed to each locality in each year of the biennium based on the greater of that locality's percentage of actual 1997 Children's Services Act pool fund program expenditures to total 1997 pool fund program expenditures or the latest available three-year average of actual pool fund program expenditures as reported to the state fiscal agent.				
2. Local Match. All localities are required to appropriate a local match for the base year funding consisting of the actual aggregate local match rate based on actual total 1997 program expenditures for the Children's Services Act. This local match rate shall also apply to all reimbursements from the state pool of funds in this Item and carryforward expenditures submitted prior to September 30 each year for the preceding fiscal year, including administrative reimbursements under paragraph C.4. in this Item.				
3.a. Notwithstanding the provisions of C.2. of this Item, beginning July 1, 2008, the local match rate for community based services for each locality shall be reduced by 50 percent.				
b. Localities shall review their caseloads for those individuals who can be served appropriately by community-based services and transition those cases to the community for services. Beginning July 1, 2009, the local match rate for non-Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base. Beginning July 1, 2011, the local match rate for Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base.				
c. By December 1 of each year, The State Executive Council (SEC) shall provide an update to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the outcomes of this initiative.				
d. At the direction of the State Executive Council, local Community Policy and Management Teams (CPMTs) and Community Services Boards (CSBs) shall work collaboratively in their service areas to develop a local plan for intensive care coordination (ICC) services that best meets the needs of the children and families. If there is more than one CPMT in the CSB's service area, the CPMTs and the CSB may work together as a region to develop a plan for ICC services. Local CPMTs and CSBs shall also work together to determine the most appropriate and cost-effective provider of ICC services for children in their community who are placed in, or at-risk of being placed in, residential care through the Children's Services Act, in accordance with guidelines developed by the State Executive Council. The State Executive Council and Office of Children's Services shall establish guidelines for reasonable rates for ICC services and provide training and technical assistance to CPMTs and fiscal agents regarding these services.				
e. The local match rate for all non-Medicaid services provided in the public schools after June 30, 2011 shall equal the fiscal year 2007 base.				
4. Local Administrative Costs. Out of this appropriation, an amount equal to two percent of the fiscal year 1997 pool fund allocations, not to exceed \$2,060,000 the first year and \$2,060,000 the second year from the general fund, shall be allocated among all localities for administrative costs. Every locality shall be required to appropriate a local match based on the local match contribution in paragraph C.2. of this Item. Inclusive of the state allocation and local matching funds, every locality shall receive the larger of \$12,500 or an amount equal to two percent of the total pool allocation. Localities are encouraged to use administrative funding to hire a full-time or part-time local coordinator for the Children's Services Act program. Localities may pool this administrative funding to hire regional coordinators.				
5. Definition. For purposes of the funding formula in the Children's Services Act, "locality"				

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

means city or county.

D. Community Policy and Management Teams shall use Medicaid-funded services whenever they are available for the appropriate treatment of children and youth receiving services under the Children's Services Act. Effective July 1, 2009, pool funds shall not be spent for any service that can be funded through Medicaid for Medicaid-eligible children and youth except when Medicaid-funded services are unavailable or inappropriate for meeting the needs of a child.

E. Pursuant to subdivision 3 of § 2.2-5206, Code of Virginia, Community Policy and Management Teams shall enter into agreements with the parents or legal guardians of children receiving services under the Children's Services Act. The Office of Children's Services shall be a party to any such agreement. If the parent or legal guardian fails or refuses to pay the agreed upon sum on a timely basis and a collection action cannot be referred to the Division of Child Support Enforcement of the Department of Social Services, upon the request of the community policy management team, the Office of Children's Services shall make a claim against the parent or legal guardian for such payment through the Department of Law's Division of Debt Collection in the Office of the Attorney General.

F. The Office of Children's Services, in cooperation with the Department of Medical Assistance Services, shall provide technical assistance and training to assist residential and treatment foster care providers who provide Medicaid-reimbursable services through the Children's Services Act to become Medicaid-certified providers.

G. The Office of Children's Services shall work with the State Executive Council and the Department of Medical Assistance Services to assist Community Policy and Management Teams in appropriately accessing a full array of Medicaid-funded services for Medicaid-eligible children and youth through the Children's Services Act, thereby increasing Medicaid reimbursement for treatment services and decreasing the number of denials for Medicaid services related to medical necessity and utilization review activities.

H. Pursuant to subdivision 21 of § 2.2-2648, Code of Virginia, no later than December 20 in the odd-numbered years, the State Executive Council shall biennially publish and disseminate to members of the General Assembly and Community Policy and Management Teams a progress report on services for children, youth, and families and a plan for such services for the succeeding biennium.

I. Out of this appropriation, \$275,000 the first year and \$275,000 the second year from the general fund shall be used to purchase and maintain an information system to provide quality and timely child demographic, service, expenditure, and outcome data.

J. The State Executive Council shall work with the Department of Education to ensure that funding in this Item is sufficient to pay for the educational services of students that have been placed in or admitted to state or privately operated psychiatric or residential treatment facilities to meet the educational needs of the students as prescribed in the student's Individual Educational Plan (IEP).

K.1. The Office of Children's Services (OCS) shall report on funding for therapeutic foster care services including but not limited to the number of children served annually, average cost of care, type of service provided, length of stay, referral source, and ultimate disposition. In addition, the OCS shall provide guidance and training to assist localities in negotiating contracts with therapeutic foster care providers.

2. The Office of Children's Services shall report on funding for special education day treatment and residential services, including but not limited to the number of children served annually, average cost of care, type of service provided, length of stay, referral source, and ultimate disposition.

3. The Office of Children's Services shall report by December 1 of each year the information included in this paragraph to the Chairmen of the House Appropriations and Senate Finance Committees.

L. Out of this appropriation, the Director, Office of Children's Services, shall allocate \$2,200,000 the first year and \$2,200,000 the second year from the general fund to

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	localities for wrap-around services for students with disabilities as defined in the Children's Services Act policy manual.			
	M. Notwithstanding any other provision of law, the rates paid by localities to providers of private day special education services under the Children's Services Act shall not increase more than two percent the first year above the rates paid in the prior fiscal year. All localities shall submit their contracted rates for private day education services to the Office of Children's Services by August 1 of each year.			
	<i>N. Any funds in this Item that remain unexpended on June 30, 2022 shall not revert to the general fund but shall be carried forward and reappropriated for the purposes outlined in paragraph B of this Item.</i>			
293.	Not set out.			
293.10	Not set out.			
			<b>\$371,589,472</b>	<b>\$387,273,012</b>
	Total for Children's Services Act.....			
	General Fund Positions.....	14.00	15.00	
	Position Level.....	14.00	15.00	
	Fund Sources: General.....	\$318,981,726	\$329,640,683	
	Federal Trust.....	\$52,607,746	\$57,632,329	
	Grand Total for Secretary of Health and Human Resources.....		<b>\$372,467,536</b>	<b>\$388,151,076</b>
	General Fund Positions.....	19.00	20.00	
	Position Level.....	19.00	20.00	
	Fund Sources: General.....	\$319,859,790	\$330,518,747	
	Federal Trust.....	\$52,607,746	\$57,632,329	
294.	Not set out.			

**§ 1-25. DEPARTMENT OF HEALTH (601)**

295.	Not set out.				
296.	Not set out.				
297.	Not set out.				
298.	Not set out.				
299.	Communicable Disease Prevention and Control (40500).....			\$128,626,159	\$248,857,180
	Immunization Program (40502).....	\$26,150,186	\$67,284,870		
	Tuberculosis Prevention and Control (40503).....	\$2,174,878	\$2,224,878		
	Sexually Transmitted Disease Prevention and Control (40504).....	\$3,393,106	\$3,393,106		
	Disease Investigation and Control Services (40505)....	\$6,405,068	\$84,676,405		
	HIV/AIDS Prevention and Treatment Services (40506).....	\$88,359,214	\$88,634,214		
	Pharmacy Services (40507).....	\$2,143,707	\$2,643,707		
	Fund Sources: General.....	\$11,317,437	\$13,145,146		
	Special.....	\$1,883,391	\$2,708,391		
	Federal Trust.....	\$115,425,331	\$233,003,643		

Authority: §§ 32.1-11.1, 32.1-11.2, and 32.1-35 through 32.1-73, Code of Virginia; and P.L. 91-464, as amended, Federal Code.



ITEM 299.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>A. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.</p>				
<p>B. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents.</p>				
<p>C. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E, Code of Virginia, shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.</p>				
<p>D. Out of this appropriation, \$840,288 the first year and \$840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance.</p>				
<p>E. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia Medication Assistance Program (VA MAP), formerly AIDS Drug Assistance Program, with incomes meeting the VA MAP's current requirements and who are Medicare prescription drug coverage beneficiaries.</p>				
<p>F. The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia AIDS Drug Assistance Program due to budget considerations. At a minimum the Commissioner shall monitor patients to determine if they have been successfully enrolled in a private Pharmacy Assistance Program or other program to receive appropriate anti-retroviral medications. The commissioner shall also monitor the program to assess whether a waiting list has developed for services provided through the ADAP program. The commissioner shall report findings to the Chairmen of the House Appropriations and Senate Finance Committees annually on October 1.</p>				
<p>G. The Virginia Department of Health shall report for each month within 30 days after the end of each month, on the number of procedures approved for payment pursuant to § 32.1-92.2, Code of Virginia, and include a description of the nature of the fetal abnormality, to the extent permitted by law, as required for eligibility under § 32.1-92.2, Code of Virginia. The department shall report the information by letter to the Chairmen of the House Appropriations and Senate Finance Committees.</p>				
<p>H. The Virginia Department of Health, in cooperation with the Department of Behavioral Health and Developmental Services (DBHDS), shall utilize \$1,600,011 each year from available federal funding in DBHDS, including the State Opioid Response Grant, as available, to purchase and provide opioid reversal drugs to support community rescue efforts for those who deal with vulnerable populations.</p>				
<p>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.</p>				

ITEM 299.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
J. 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.				
K. 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.				
L.1. Out of this appropriation, \$722,472 the first year and \$1,444,944 the second year from nongeneral funds is provided to contract for COVID-19 data modeling and related services. Of this amount, \$504,000 the first year and \$1,008,000 the second year is provided to contract with the University of Virginia's Biocomplexity Institute to provide epidemiologic analysis and foresight into the course of the pandemic. Of the remaining amount, \$218,472 the first year and \$436,944 the second year is provided to contract with the RAND Corporation to provide broader surveys of COVID-19 modeling, literature and policy reviews, and offer expertise.				
2. Out of this appropriation, \$18,002,665 the first year and \$59,123,029 the second year from nongeneral funds is provided to support a mass vaccination campaign when a COVID-19 vaccine becomes available. This funding shall be used to support the purchase of equipment and ancillary supplies, information management staff, support for local health districts, and warehousing and shipping costs. This funding may be used to obtain doses of vaccine in the event there is no other source of funding for this purpose.				
3. The department, with appropriate documentation, may move the funds listed in subparagraphs 1. and 2. above, as well as funds listed in paragraphs G and H in Item 307, to any other purpose stated in the listed paragraphs or for other COVID-19 pandemic response efforts.				
4. The department shall maintain sufficient records and documentation to report the specific use of these funds. No later than August 15, 2021, the department shall report the use of these funds in FY 2021 along with an estimate of the proposed use of the funding appropriated in FY 2022 and any additional funds that may be required to respond to the COVID-19 pandemic to the Governor, Chairperson of the House Appropriations Committee, the Chairperson of the Senate Finance and Appropriations Committee, and the Director of the Department of Planning and Budget.				
M. Out of this appropriation, \$1,300,000 the second year from the general fund shall be used to purchase opioid reversal drugs.				
N. The Virginia Department of Health shall work with the Department of Behavioral Health and Developmental Services (DBHDS) to ensure that adequate funding, estimated at \$2,142,601 the first year and \$4,285,202 the second year, is provided for COVID-19 testing and surveillance at DBHDS state-operated facilities. The Virginia Department of Health shall include such activity in its plan to the Centers for Disease Control and Prevention for the use of the federal Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) funds received pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123). The Virginia Department of Health shall transfer such funds to the Department of Behavioral Health and Developmental Services as necessary for such activities.				
O. Out of this appropriation, \$956,377 the second year from the federal Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) funds received pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123) shall be used for the development and implementation of a system for sharing information regarding confirmed cases of communicable diseases of public health threat with emergency medical services agencies in real time during a declared public				

ITEM 299.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>health emergency, pursuant to the provisions of House Bill 1989, 2021 Special Session I. The Virginia Department of Health shall include such activity in its plan for the use of these funds to the Centers for Disease Control and Prevention.</p> <p>P. Out of this appropriation, \$34,524,000 from the federal Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) funds received through the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123) shall be used for COVID-19 testing and contact tracing at state institutions of higher education. The Virginia Department of Health shall include such activity in its plan for the use of these funds to the Centers for Disease Control and Prevention and transfer such funds to the state colleges and universities in accordance with Item 262.80 C. of this act. In the event, that this funding is not fully utilized by June 30, 2022, the department may reallocate the funding to other planned uses for the federal funds.</p> <p><i>Q. The Department of Health shall allow federal funds allocated for the VISSTA COVID testing program to be made available to localities or school divisions that request funding to contract with a vendor directly to implement a school testing program.</i></p>				
300.	Not set out.			
301.	State Health Services (43000).....		\$167,167,937	\$164,546,113
	Child and Adolescent Health Services (43002).....	\$11,744,457	\$11,744,457	
	Women's and Infant's Health Services (43005).....	\$11,080,619	\$11,123,335	
	Chronic Disease Prevention, Health Promotion, and Oral Health (43015).....	\$11,400,846	\$11,900,846	
	Injury and Violence Prevention (43016).....	\$4,320,403	\$4,830,863	
	Women, Infants, and Children (WIC) and Community Nutrition Services (43017).....	\$128,621,612	\$124,946,612	
	Fund Sources: General.....	\$6,564,476	\$7,617,652	
	Special.....	\$3,111,390	\$3,111,390	
	Dedicated Special Revenue.....	\$64,967,057	\$61,292,057	
	Federal Trust.....	\$92,525,014	\$92,525,014	

Authority: §§ 32.1-11, 32.1-77, 32.1-89, and 32.1-90, Code of Virginia; P.L. 94-566, as amended, Title V of the U.S. Social Security Act and Title X of the U.S. Public Health Service Act, Federal Code; and P.L. 95-627, as amended, Federal Code.

A. Out of this appropriation, \$999,804 the first year and \$999,804 the second year from special funds is provided to support the newborn screening program and its expansion pursuant to Chapters 717 and 721, Act of Assembly of 2005, and Chapter 531, 2018 Acts of Assembly. Fee revenues sufficient to fund the Department of Health's costs of the program and its expansion shall be transferred from the Division of Consolidated Laboratory Services.

B. The Special Supplemental Nutrition Program for Women, Infants, and Children is exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.).

C. Out of this appropriation, \$305,000 the first year and \$305,000 the second year from the general fund shall be provided to the department's sickle cell program to address rising pediatric caseloads in the current program. Any remaining funds shall be used to develop transition services for youth who will require adult services to ensure appropriate medical services are available and provided for youth who age out of the current program.

D. It is the intent of the General Assembly that the State Health Commissioner continue providing services through child development clinics and access to children's dental services.

E. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to the Department of Health for the operation of the Resource Mothers program.

F.1. Out of this appropriation, \$124,470 the first year and \$124,470 the second year from

ITEM 301.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>the general fund and \$82,980 the first year and \$82,980 the second year from nongeneral funds shall be provided for the Virginia Department of Health to establish and administer a Perinatal Quality Collaborative. The Perinatal Quality Collaborative shall work to improve pregnancy outcomes for women and newborns by advancing evidence-based clinical practices and processes through continuous quality improvement with an initial focus on pregnant women with substance use disorder and infants impacted by neonatal abstinence syndrome.</p>				
<p>2. Out of this appropriation, \$315,000 the first year and \$315,000 the second year from the general fund shall be provided to support efforts by the Virginia Neonatal Perinatal Collaborative (VNPC) to decrease maternal mortality and morbidity. Funding shall be used for a coordinator position for community engagement, training and education; the development of a pilot program of the Centers for Disease Control's levels of care assessment (LOCATE) tool in the Richmond metropolitan region and Tidewater region; and development of a Project ECHO tele-education model for education and training. Funding shall also be used to assist the VNPC with expanding capacity to address these issues through the use of software to advance data analytics.</p>				
<p>G.1. Out of the appropriation, \$100,000 the first year and \$650,000 the second year from the general fund shall be transferred to the Virginia Sexual and Domestic Violence Prevention Fund.</p>				
<p>2. The Department of Health shall continue to award and provide federal Rape Prevention and Education (RPE) funds through the cooperative agreement with the Centers for Disease Control to the six sexual and domestic violence organizations that received such funds in year two of the cooperative agreement. If however, the Centers for Disease Control does not approve or limits the cooperative agreement funding that can be awarded to these organizations, then the department shall make grants, notwithstanding any other provision of law, from the Virginia Sexual and Domestic Violence Prevention Fund in an amount the first year or the second year to ensure the same level of funding the organizations received in federal RPE funds in year two of the cooperative agreement. <i>The provisions of this subsection shall sunset effective June 30, 2022.</i></p>				
<p>I. Out of this appropriation, \$305,000 the first year and \$805,000 the second year from the general fund is provided for a comprehensive adult program for sickle cell disease.</p>				
302.	Not set out.			
303.	Not set out.			
304.	Drinking Water Improvement (50800).....		\$33,122,627	<del>\$33,898,623</del> \$34,381,023
	Drinking Water Regulation (50801).....	\$10,608,553	\$10,884,549	
	Drinking Water Construction Financing (50802).....	\$22,046,134	<del>\$22,546,134</del> \$23,028,534	
	Public Health Toxicology (50805).....	\$467,940	\$467,940	
	Fund Sources: General.....	\$4,928,849	<del>\$5,204,845</del> \$5,687,245	
	Special.....	\$6,131,045	\$6,131,045	
	Dedicated Special Revenue.....	\$18,903,934	\$19,403,934	
	Federal Trust.....	\$3,158,799	\$3,158,799	

Authority: §§ 32.1-163 through 32.1-176.7, 32.1-246, 32.1-246.1, and 62.1-44.18 through 62.1-44.19:9, Code of Virginia; and P.L. 92-500, P.L. 93-523 and P.L. 95-217, Federal Code.

A. It is the intent of the General Assembly that the Department of Health be the agency designated to receive and manage general and nongeneral funds appropriated pursuant to the federal Safe Drinking Water Act of 1996.

B. The fee schedule for charges to community waterworks shall be adjusted to the level necessary to cover the cost of operating the Waterworks Technical Assistance Program, consistent with § 32.1-171.1, Code of Virginia, and shall not exceed \$3.00 per connection to all community waterworks.

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>C. Any positions necessary for the Office of Drinking Water to perform regulatory functions in dispersing federal State and Local Recovery Funds (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA) for drinking water infrastructure shall be restricted positions and shall expire at the end of the grant period.</i>				
305.	Not set out.			
306.	Emergency Preparedness (77500).....		\$34,333,979	\$34,333,979
	Emergency Preparedness and Response (77504).....		\$34,333,979	\$37,633,979
	Fund Sources: <i>General</i> .....		\$0	\$3,300,000
	Federal Trust.....		\$34,333,979	\$34,333,979
Authority: §§ 32.1-2, 32.1-39, and 32.1-42, Code of Virginia.				

307. Not set out.

307.10 Not set out.

Total for Department of Health.....			<b>\$797,225,161</b>	<b>\$929,696,654</b>
General Fund Positions.....			1,513.50	1,571.50
Nongeneral Fund Positions.....			2,198.00	<del>2,228.00</del>
				2,239.00
Position Level.....			3,711.50	<del>3,799.50</del>
				3,810.50
Fund Sources: <i>General</i> .....			\$192,953,062	<del>\$208,119,838</del>
				\$211,902,238
Special.....			\$169,842,442	\$170,553,922
Dedicated Special Revenue.....			\$116,052,192	\$116,052,192
Federal Trust.....			\$318,377,465	\$434,970,702

308. Not set out.

309. Not set out.

**§ 1-26. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)**

310. Not set out.

311. Not set out.

312.	Children's Health Insurance Program Delivery (44600).....		\$229,304,933	\$282,255,323
	Reimbursements for Medical Services Provided Under the Family Access to Medical Insurance Security Plan (44602).....		\$229,304,933	\$271,720,435
	Fund Sources: <i>General</i> .....		\$48,582,983	<del>\$77,642,193</del>
				\$69,912,009
	Dedicated Special Revenue.....		\$14,065,627	\$14,065,627
	Federal Trust.....		\$166,656,323	<del>\$190,547,503</del>
				\$187,742,799

Authority: Title 32.1, Chapter 13, Code of Virginia; Title XXI, Social Security Act, Federal Code.

A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium

ITEM 312.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>differential between: (i) 0.75 percent of the direct gross subscriber fee income derived from eligible contracts and (ii) the amount of license tax revenue generated pursuant to subdivision A 4 of § 58.1-2501 for the immediately preceding taxable year and notify the Comptroller of the Commonwealth to transfer such amounts to the Family Access to Medical Insurance Security Plan Trust Fund as established on the books of the State Comptroller.</p> <p>B. As a condition of this appropriation, revenues from the Family Access to Medical Insurance Security Plan Trust Fund, shall be used to match federal funds for the Children's Health Insurance Program.</p> <p>C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13, Code of Virginia, shall be enrolled and served in the program.</p> <p>D. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Medicaid Program Services (45600) and Medical Assistance Services for Low Income Children (46600), if available, into this Item to be used as state match for federal Title XXI funds.</p> <p>E. The Department of Medical Assistance Services shall make the monthly capitation payment to managed care organizations for the member months of each month in the first week of the subsequent month.</p> <p>F. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.</p> <p>G. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to offer medically necessary treatment for substance use disorder in an Institution for Mental Diseases (IMD) for individuals enrolled in FAMIS MOMS, equivalent to such benefits offered to pregnant women under the Medicaid state plan and 1115 substance use disorder demonstration waiver. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.</p> <p>H. The Department of Medical Assistance Services shall amend the Virginia Family Access to Medical Insurance Security (FAMIS) State Plan to allow the payment for prenatal care for all children regardless of the expectant mother's status, pursuant to provisions in Title XXI of the federal 2009 CHIP Reauthorization Act that includes care of all children who upon birth will be U.S. citizens, U.S. nationals, or qualified aliens. The Department shall have the authority to implement this change effective July 1, 2021, or consistent with the effective date in the State Plan Amendment approved by the Centers for Medicare and Medicaid Services (CMS), and prior to completion of any regulatory process.</p>				
313.	Medicaid Program Services (45600).....		\$16,296,817,318	<del>\$17,716,819,641</del> \$18,278,277,486
	Payments for Graduate Medical Education Residencies (45606).....	\$6,200,000	\$7,700,000	
	Reimbursements to State-Owned Mental Health and Intellectual Disabilities Facilities (45607).....	\$74,417,827	\$57,410,714	
	Reimbursements for Behavioral Health Services (45608).....	\$43,736,183	<del>\$56,141,152</del> \$42,682,369	
	Reimbursements for Medical Services (45609).....	\$10,173,289,793	<del>\$10,673,045,695</del> \$10,700,259,027	

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Reimbursements for Long-Term Care Services (45610).....	\$1,535,198,255	<del>\$1,937,756,017</del> \$1,935,993,619		
Payments for Healthcare Coverage for Low-Income Uninsured Adults (45611).....	\$4,463,975,260	<del>\$4,984,766,063</del> \$5,534,231,757		
Fund Sources: General.....	\$4,343,953,280	<del>\$5,299,837,047</del> \$4,409,096,379		
Dedicated Special Revenue.....	\$1,395,490,789	<del>\$1,459,083,712</del> \$1,548,631,743		
Federal Trust.....	\$10,557,373,249	<del>\$10,957,898,882</del> \$12,320,549,364		

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Title XIX, Social Security Act, Federal Code.

A. Out of this appropriation, \$32,942,430 the first year and \$26,925,625 the second year from the general fund and \$41,428,799 the first year and \$30,485,089 the second year from the federal trust fund is provided for reimbursement to the institutions within the Department of Behavioral Health and Developmental Services.

B.1. Included in this appropriation is \$6,199,648 the first year and \$8,497,374 the second year from the general fund and \$25,388,407 the first year and \$27,686,133 the second year from nongeneral funds to reimburse the Virginia Commonwealth University Health System for indigent health care costs as reported by the hospital and adjusted by the department for indigent care savings related to Medicaid expansion. This funding is composed of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

2. Included in this appropriation is \$15,281,075 the first year and \$16,408,501 the second year from the general fund and \$29,995,853 the first year and \$31,123,279 the second year from nongeneral funds to reimburse the University of Virginia Health System for indigent health care costs as reported by the hospital and adjusted by the department for indigent care savings related to Medicaid expansion. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

3. The general fund amounts for the state teaching hospitals have been reduced to mirror the general fund impact of reduced and no inflation for inpatient services in prior years. It also includes reductions associated with prior year indigent care reductions. However, the nongeneral funds are appropriated. In order to receive the nongeneral funds in excess of the amount of the general fund appropriated, the health systems shall certify the public expenditures.

4. The Department of Medical Assistance Service shall have the authority to increase Medicaid payments for Type One hospitals and physicians consistent with the appropriations to compensate for limits on disproportionate share hospital (DSH) payments to Type One hospitals that the department would otherwise make. In particular, the department shall have the authority to amend the State Plan for Medical Assistance to increase physician supplemental payments for physician practice plans affiliated with Type One hospitals up to the average commercial rate as demonstrated by University of Virginia Health System and Virginia Commonwealth University Health System, to change reimbursement for Graduate Medical Education to cover costs for Type One hospitals, to case mix adjust the formula for indirect medical education reimbursement for HMO discharges for Type One hospitals and to increase the adjustment factor for Type One hospitals to 1.0. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

C.1. The estimated revenue for the Virginia Health Care Fund is \$567,403,148 the first year and ~~\$496,601,500~~ \$629,360,327 the second year, to be used pursuant to the uses stated in § 32.1-367, Code of Virginia.

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
2. Notwithstanding any other provision of law, revenues deposited to the Virginia Health Care Fund shall only be used as the state share of Medicaid unless specifically authorized by this Act.				
3. Notwithstanding § 32.1-366, Code of Virginia, the State Comptroller shall deposit 41.5 percent of the Commonwealth's allocation of the Master Settlement Agreement with tobacco product manufacturers, as defined in § 3.2-3100, Code of Virginia, to the Virginia Health Care Fund.				
4. Any repayment by managed care organizations resulting from exceeding their profit caps for not meeting the medical loss ratios pursuant to their contracts with the Department of Medical Assistance Services, shall be deposited to the Health Care Fund.				
D. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.				
E.1. At least 45 days prior to the submission of any state plan or waiver amendment or renewal of such, to the Centers for Medicare and Medicaid Services (CMS) or change in the contracts with managed care organizations that may impact the capitation rates, the Department of Medical Assistance Services (DMAS) shall provide written notification to the Director, Department of Planning and Budget as to the purpose of such change. This notice shall also assess whether the amendment will require any future state regulatory action or expenditure beyond that which is appropriated in this Act. If the Department of Planning and Budget, after review of the proposed change, determines that it may likely result in a material fiscal impact on the general fund, for which no legislative appropriation has been provided, then the Department of Medical Assistance Services shall delay the proposed change until the General Assembly authorizes such action and notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of such action.				
2. Effective July 1, 2020, the Department of Medical Assistance Services shall have the authority to include the following modifications to the Commonwealth Coordinated Care Plus and Medallion 4.0 contracts:				
a) Expand care coordination for adoption assistance members;				
b) Require that all foster care children receive a physician and dental visit within the first 30 days of plan enrollment;				
d) Require Patient Utilization Management and Safety (PUMS) Program “lock-in” re-evaluations for members changing plans;				
g) Develop strategies to keep mom and baby together during residential SUD treatment;				
l) Waive the signature requirement for non-emergency transportation providers;				
m) Establish payment targets for the total portion of medical spending covered under a value based payment arrangement; and				
n) Require CCC Plus plans to upgrade Medicare Dual Special Needs Plans (D-SNPs) to Medicare Fully Integrated Dual Eligible Special Needs Plans (FIDE-SNPS).				
3. Effective July 1, 2020, the Department of Medical Assistance Services shall amend its CCC Plus and Medallion 4.0 contracts with managed care organizations (MCOs) to include the following provisions related to community mental health and rehabilitation services:				
a) Clarify that required response times are based on calendar days, not business days.				



ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
<p>b) Require that, in any case where a service authorization or reauthorization for community mental health and rehabilitation services, is not approved or denied within the National Committee for Quality Assurance (NCQA) response time standard, the provider shall assume to have approval to provide the service and receive payment until date of denial.</p>				
<p>c) Clarify response time requirements for weekends and holidays, to the extent that they differ from the NCQA response time standards.</p>				
<p>d) Clarify how MCOs are to determine if a service authorization is considered urgent or non-urgent as it pertains to the NCQA response time standards.</p>				
<p>4. The department shall amend its contracts with managed care organizations to direct the MCOs to modify their contracts with providers to include the requirements from paragraphs a. through d. above.</p>				
<p>5. The department shall track and report on compliance with NCQA response time standards for each MCO, broken down by service type. Such tracking shall include: (i) How often total response time, from initial submittal until service authorization or denial, exceeds the NCQA standards; and (ii) How often appeals are filed, and of those, how often are services subsequently approved and how often they are denied. The department shall publish the data on these items on a quarterly basis to the department's website.</p>				
<p>6. In addition to the changes specified in E.2., DMAS shall have authority to include modifications to the Commonwealth Coordinated Care Plus and Medallion 4.0 contracts as necessary to implement actions specifically authorized through language included in this Act.</p>				
<p>7. The department shall conduct an analysis and report on the costs and benefits to amending the Commonwealth Coordinated Care Plus and Medallion 4.0 contracts to combine any applicable medical loss ratios and underwriting gain provisions to ensure uniformity in the applicability of those provisions to the Joint Subcommittee for Health and Human Resources Oversight. The report shall be completed by November 15, 2020.</p>				
<p>8. The Department of Medical Assistance Services shall develop a plan to merge the Commonwealth Coordinated Care Plus and Medallion 4.0 programs. The department shall submit the plan with a feasible timeline for such a merger to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 15, 2020.</p>				
<p>9. The Department of Medical Assistance Services shall modify its contracts with managed care organizations to require annual reporting with regard to Medicaid Community Mental Health Rehabilitation Services on: (i) the number of providers in their network and their geographic locations; (ii) the total number of provider terminations by year since fiscal year 2018 and the number terminated with and without cause; (iii) the localities the terminated providers served; and (iv) the number of Medicaid members the providers were serving prior to termination of their provider contract. The department shall modify its contracts with the managed care organizations to require compliance with these provisions, effective July 1, 2021, such that the first reporting of this information by the managed care organizations shall be submitted by September 1, 2021. The department shall report the data annually, not later than November 1, to the Joint Subcommittee for Health and Human Resources Oversight.</p>				
<p>F.1. The Director, Department of Medical Assistance Services shall seek the necessary waivers from the United States Department of Health and Human Services to authorize the Commonwealth to cover health care services and delivery systems, as may be permitted by Title XIX of the Social Security Act, which may provide less expensive alternatives to the State Plan for Medical Assistance.</p>				
<p>2. At least 30 days prior to the submission of an application for any new waiver of Title XIX or Title XXI of the Social Security Act, the Department of Medical Assistance Services shall notify the Chairmen of the House Appropriations and Senate Finance Committees of such pending application and provide information on the purpose and justification for the waiver along with any fiscal impact. If the department receives an</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>official letter from either Chairmen raising an objection about the waiver during the 30-day period, the department shall not submit the waiver application and shall request authority for such waiver as part of the normal legislative or budgetary process. If the department receives no objection, then the application may be submitted. Any waiver specifically authorized elsewhere in this Item is not subject to this provision. Waiver renewals are not subject to the provisions of this paragraph.</p>				
<p>3. The director shall promulgate such regulations as may be necessary to implement those programs which may be permitted by Titles XIX and XXI of the Social Security Act, in conformance with all requirements of the Administrative Process Act.</p>				
<p>G. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600) and Medical Assistance Services for Low Income Children (46600), if available, into this Item to be used as state match for federal Title XIX funds.</p>				
<p>H. Notwithstanding any other provision of law, any unexpended general fund appropriation remaining in this Item on the last day of each fiscal year shall revert to the general fund and shall not be reappropriated in the following fiscal year.</p>				
<p>I. It is the intent of the General Assembly that the medically needy income limits for the Medicaid program are adjusted annually to account for changes in the Consumer Price Index.</p>				
<p>J.1.a. As of July 1, 2019, the Community Living (CL) waiver authorizes 11,736 slots.</p>				
<p>b. As of July 1, 2019, the Family and Individuals Support (FIS) waiver authorizes 2,983 slots.</p>				
<p>c. As of July 1, 2019, the Building Independence (BI) waiver authorizes 400 slots.</p>				
<p>2. Notwithstanding Chapters 228 and 303 of the 2009 Virginia Acts of Assembly and §32.1-323.2 of the Code of Virginia, the Department of Medical Assistance Services shall not add any slots to the Intellectual Disabilities Medicaid Waiver or the Individual and Family Developmental Disabilities and Support Medicaid Waiver other than those slots authorized specifically to support the Money Follows the Person Demonstration, individuals who are exiting state institutions, any slots authorized under Chapters 724 and 729 of the 2011 Virginia Acts of Assembly or §37.2-319, Code of Virginia, or authorized elsewhere in this Act.</p>				
<p>3. Upon approval by the Centers for Medicare and Medicaid Services of the application for renewal of the CL, FIS and BI waivers, expeditious implementation of any revisions shall be deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process Act. Therefore, to meet this emergency situation, the Department of Medical Assistance Services shall promulgate emergency regulations to implement the provisions of this Act.</p>				
<p>4.a. The Department of Medical Assistance Services (DMAS) shall amend the CL waiver to add 145 new slots effective July 1, 2020 and an additional 95 slots effective July 1, 2021. An amount estimated at \$5,653,333 the first year and \$9,357,240 the second year from the general fund and \$5,653,333 the first year and \$9,357,240 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots. These estimated amounts assume that 20 of the additional slots in each year may be filled with individuals transitioning from facility care. DMAS shall seek federal approval for necessary changes to the CL waiver to add the additional slots.</p>				
<p>b. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to add 640 new slots effective July 1, 2020 and an additional 890 slots effective July 1, 2021. An amount estimated at \$10,581,760 the first year and <del>\$25,143,816</del> \$12,571,908 the second year from the general fund and \$10,581,760 the first year and <del>\$25,143,816</del> \$12,571,908 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots. These estimated amounts assumes that five of the additional slots in each year may be filled with individuals transitioning from facility care. DMAS shall seek federal approval for necessary changes to the FIS waiver to add the additional slots.</p>				
<p>c. In addition to the new slots added in 4.a. and b., the Department of Medical Assistance Services (DMAS) shall amend the CL waiver to add 15 new slots effective July 1, 2020 and</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

an additional 15 slots effective July 1, 2021. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to add 10 new slots effective July 1, 2020 and an additional 10 slots effective July 1, 2021. These slots shall be held as reserve capacity by the Department of Behavioral Health and Developmental Services (DBHDS) to address emergency situations. An amount estimated at \$750,168 the first year and \$1,500,335 the second year from the general fund and \$750,168 the first year and \$1,500,335 the second year from nongeneral funds is provided to cover the anticipated costs of the emergency slots. DMAS shall seek federal approval for necessary changes to the CL and FIS waivers to add the additional slots. Beginning July 1, 2018, DBHDS shall provide a quarterly report on the use of the emergency slots provided in this paragraph.

d. The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall separately track all costs, placements and services associated with the additional slots added in paragraphs J.4.a., J.4.b., and J.4.c. above. By October 1 of each year, the department shall report this data to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget.

K. The Department of Medical Assistance Services and the Virginia Department of Health shall work with representatives of the dental community: to expand the availability and delivery of dental services to pediatric Medicaid recipients; to streamline the administrative processes; and to remove impediments to the efficient delivery of dental services and reimbursement thereof. The Department of Medical Assistance Services shall report its efforts to expand dental services to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget by December 15 each year.

L. The Department of Medical Assistance Services shall not require dentists who agree to participate in the delivery of Medicaid pediatric dental care services, or services provided to enrollees in the Family Access to Medical Insurance Security (FAMIS) Plan or any variation of FAMIS, to also deliver services to subscribers enrolled in commercial plans of the managed care vendor, unless the dentist is a willing participant in the commercial managed care plan.

M.1. The Department of Medical Assistance Services shall implement continued enhancements to the drug utilization review (DUR) program. The department shall continue the Pharmacy Liaison Committee and the DUR Board. The department shall continue to work with the Pharmacy Liaison Committee, meeting at least semi-annually, to implement initiatives for the promotion of cost-effective services delivery as may be appropriate. The department shall solicit input from the Pharmacy Liaison Committee regarding pharmacy provisions in the development and enforcement of all managed care contracts. The department shall report on the Pharmacy Liaison Committee's and the DUR Board's activities to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than December 15 each year of the biennium.

2. The department shall add a representative to the Pharmacy Liaison Committee from the Virginia Community Healthcare Association to represent pharmacy operations and issues at federally qualified health centers in Virginia.

N.1. The Department of Medical Assistance Services shall develop and pursue cost saving strategies internally and with the cooperation of the Department of Social Services, Virginia Department of Health, Office of the Attorney General, Children's Services Act program, Department of Education, Department of Juvenile Justice, Department of Behavioral Health and Developmental Services, Department for Aging and Rehabilitative Services, Department of the Treasury, University of Virginia Health System, Virginia Commonwealth University Health System Authority, Department of Corrections, federally qualified health centers, local health departments, local school divisions, community service boards, local hospitals, and local governments, that focus on optimizing Medicaid claims and cost recoveries. Any revenues generated through these activities shall be transferred to the Virginia Health Care Fund to be used for the purposes specified in this Item.

2. The Department of Medical Assistance Services shall retain the savings necessary to

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

reimburse a vendor for its efforts to implement paragraph N.1. of this Item. However, prior to reimbursement, the department shall identify for the Secretary of Health and Human Resources each of the vendor's revenue maximization efforts and the manner in which each vendor would be reimbursed. No reimbursement shall be made to the vendor without the prior approval of the above plan by the Secretary.

O. The Department of Medical Assistance Services shall have the authority to pay contingency fee contractors, engaged in cost recovery activities, from the recoveries that are generated by those activities. All recoveries from these contractors shall be deposited to a special fund. After payment of the contingency fee any prior year recoveries shall be transferred to the Virginia Health Care Fund. The Director, Department of Medical Assistance Services, shall report to the Chairmen of the House Appropriations and Senate Finance Committees the increase in recoveries associated with this program as well as the areas of audit targeted by contractors by November 1 each year.

P. The Department of Medical Assistance Services in cooperation with the State Executive Council, shall provide semi-annual training to local Children's Services Act teams on the procedures for use of Medicaid for residential treatment and treatment foster care services, including, but not limited to, procedures for determining eligibility, billing, reimbursement, and related reporting requirements. The department shall include in this training information on the proper utilization of inpatient and outpatient mental health services as covered by the Medicaid State Plan.

Q.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical Assistance Services, in consultation with the Department of Behavioral Health and Developmental Services, shall amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a Preferred Drug List. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.

2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the development and ongoing administration of the Preferred Drug List program. The Pharmacy and Therapeutics Committee shall be composed of 8 to 12 members, including the Commissioner, Department of Behavioral Health and Developmental Services, or his designee. Other members shall be selected or approved by the department. The membership shall include a ratio of physicians to pharmacists of 2:1 and the department shall ensure that at least one-half of the physicians and pharmacists are either direct providers or are employed with organizations that serve recipients for all segments of the Medicaid population. Physicians on the committee shall be licensed in Virginia, one of whom shall be a psychiatrist, and one of whom specializes in care for the aging. Pharmacists on the committee shall be licensed in Virginia, one of whom shall have clinical expertise in mental health drugs, and one of whom has clinical expertise in community-based mental health treatment. The Pharmacy and Therapeutics Committee shall recommend to the department (i) which therapeutic classes of drugs should be subject to the Preferred Drug List program and prior authorization requirements; (ii) specific drugs within each therapeutic class to be included on the preferred drug list; (iii) appropriate exclusions for medications, including atypical anti-psychotics, used for the treatment of serious mental illnesses such as bi-polar disorders, schizophrenia, and depression; (iv) appropriate exclusions for medications used for the treatment of brain disorders, cancer and HIV-related conditions; (v) appropriate exclusions for therapeutic classes in which there is only one drug in the therapeutic class or there is very low utilization, or for which it is not cost-effective to include in the Preferred Drug List program; and (vi) appropriate grandfather clauses when prior authorization would interfere with established complex drug regimens that have proven to be clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective.

b. The Pharmacy and Therapeutics Committee shall schedule meetings at least semi-annually and may meet at other times at the discretion of the chairperson and members. At the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class subject to the Preferred Drug List that is newly approved by the Federal Food and Drug Administration, provided there is at least thirty (30) days notice of such approval prior to the date of the quarterly meeting.

3. The department shall establish a process for acting on the recommendations made by the

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Pharmacy and Therapeutics Committee, including documentation of any decisions which deviate from the recommendations of the committee.				
4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-hour emergency supply of the prescribed drug when requested by a physician and a dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization decisions to be made within 24 hours and timely notification of the recipient and/or the prescribing physician of any delays or negative decisions; (iii) an expedited review process of denials by the department; and (iv) consumer and provider education, training and information regarding the Preferred Drug List prior to implementation, and ongoing communications to include computer access to information and multilingual material.				
5. The Preferred Drug List program shall generate savings as determined by the department that are net of any administrative expenses to implement and administer the program.				
6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this Act. With respect to such state plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code of Virginia, shall not apply. In addition, the department shall work with the Department of Behavioral Health and Development Services to consider utilizing a Preferred Drug List program for its non-Medicaid clients.				
7. The Department of Medical Assistance Services shall (i) continually review utilization of behavioral health medications under the State Medicaid Program for Medicaid recipients; and (ii) ensure appropriate use of these medications according to federal Food and Drug Administration (FDA) approved indications and dosage levels. The department may also require retrospective clinical justification according to FDA approved indications and dosage levels for the use of multiple behavioral health drugs for a Medicaid patient. For individuals 18 years of age and younger who are prescribed three or more behavioral health drugs, the department may implement clinical edits that target inefficient, ineffective, or potentially harmful prescribing patterns in accordance with FDA-approved indications and dosage levels.				
8. The Department of Medical Assistance Services shall ensure that in the process of developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the value of including those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems.				
R.1. The Department of Medical Assistance Services may amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a specialty drug program. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, the Pharmacy Liaison Committee, and others as appropriate.				
2. In developing the specialty drug program to implement appropriate care management and control drug expenditures, the department shall contract with a vendor who will develop a methodology for the reimbursement and utilization through appropriate case management of specialty drugs and distribute the list of specialty drug rates, authorized drugs and utilization guidelines to medical and pharmacy providers in a timely manner prior to the implementation of the specialty drug program and publish the same on the department's website.				
3. In the event that the Department of Medical Assistance Services contracts with a vendor, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

generated under the benefit management of services.

4. The department shall: (i) review, update and publish the list of authorized specialty drugs, utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to revise the list or modify specialty drug program utilization guidelines and rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow dispensing or prescribing provider to contest the listed specialty drugs and rates.

5. The department shall have authority to enact emergency regulations under § 2.2-4011 of the Administrative Process Act to effect these provisions.

S.1. The Department of Medical Assistance Services shall reimburse school divisions who sign an agreement to provide administrative support to the Medicaid program and who provide documentation of administrative expenses related to the Medicaid program 50 percent of the Federal Financial Participation by the department.

2. The Department of Medical Assistance Services shall retain five percent of the Federal Financial Participation for reimbursement to school divisions for medical and transportation services.

T. In the event that the Department of Medical Assistance Services decides to contract for pharmaceutical benefit management services to administer, develop, manage, or implement Medicaid pharmacy benefits, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

U. The Department of Medical Assistance Services, in cooperation with the Department of Social Services' Division of Child Support Enforcement (DSCE), shall identify and report third party coverage where a medical support order has required a custodial or noncustodial parent to enroll a child in a health insurance plan. The Department of Medical Assistance Services shall also report to the DCSE third party information that has been identified through their third party identification processes for children handled by DCSE.

V.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying that an overpayment for medical assistance services has been made to a provider, the Director, Department of Medical Assistance Services shall notify the provider of the amount of the overpayment. Such notification of overpayment shall be issued within the earlier of (i) four years after payment of the claim or other payment request, or (ii) four years after filing by the provider of the complete cost report as defined in the Department of Medical Assistance Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost report as defined in the Department of Medical Assistance Services' regulations subsequent to sale of the facility or termination of the provider.

2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the director shall issue an informal fact-finding conference decision concerning provider reimbursement in accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of Virginia, and applicable federal law. The informal fact-finding conference decision shall be issued within 180 days of the receipt of the appeal request, except as provided herein. If the agency does not render an informal fact-finding conference decision within 180 days of the receipt of the appeal request or, in the case of a joint agreement to stay the appeal decision as detailed below, within the time remaining after the stay expires and the appeal timeframes resume, the decision is deemed to be in favor of the provider. An appeal of the director's informal fact-finding conference decision concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code of Virginia. The Department of Medical Assistance Services and the provider may jointly agree to stay the deadline for the informal appeal decision or for the formal appeal recommended decision of the Hearing Officer for a period of up to sixty (60) days to facilitate settlement discussions. If the parties reach a resolution as reflected by a written settlement agreement within the sixty-

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

day period, then the stay shall be extended for such additional time as may be necessary for review and approval of the settlement agreement in accordance § 2.2-514 of the Code of Virginia. Once a final agency case decision has been made, the director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the informal fact-finding conference decision or the final agency case decision. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency case decision becomes final.

W. Any hospital that was designated a Medicare-dependent small rural hospital, as defined in 42 U.S.C. §1395ww (d) (5) (G) (iv) prior to October 1, 2004, shall be designated a rural hospital pursuant to 42 U.S.C. §1395ww (d) (8) (ii) (II) on or after September 30, 2004.

X.1. The Department of Medical Assistance Services shall make programmatic changes in the provision of Intensive In-Home services and Community Mental Health services in order to ensure appropriate utilization and cost efficiency. The department shall consider all available options including, but not limited to, prior authorization, utilization review and provider qualifications. The Department of Medical Assistance Services shall promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.

2. The Department of Medical Assistance Services shall have the authority to implement prior authorization and utilization review for community-based mental health services for children and adults. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.

Y. The Department of Medical Assistance Services shall delay the last quarterly payment of certain quarterly amounts paid to hospitals, from the end of each state fiscal year to the first quarter of the following year. Quarterly payments that shall be delayed from each June to each July shall be Disproportionate Share Hospital payments, Indirect Medical Education payments, and Direct Medical Education payments. The department shall have the authority to implement this reimbursement change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

Z. The Department of Medical Assistance Services shall make the monthly capitation payment to managed care organizations for the member months of each month in the first week of the subsequent month. The department shall have the authority to implement this reimbursement schedule change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

AA. In every June the remittance that would normally be paid to providers on the last remittance date of the state fiscal year shall be delayed one week longer than is normally the practice. This change shall apply to the remittances of Medicaid and FAMIS providers. This change does not apply to providers who are paid a per-month capitation payment. The department shall have the authority to implement this reimbursement change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

BB. The Department of Medical Assistance Services shall impose an assessment equal to 6.0 percent of revenue on all ICF-ID providers. The department shall determine procedures for collecting the assessment, including penalties for non-compliance. The department shall have the authority to adjust interim rates to cover new Medicaid costs as a result of this assessment.

CC. Effective July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to revise per diem rates paid to Virginia-based psychiatric residential treatment facilities using the provider's audited cost per day from the facility's cost report for provider fiscal years ending in state fiscal year 2018. New Virginia-based residential psychiatric facilities must submit proforma cost report data, which will be used to set the initial per diem rate for up to two years. After this period, the department shall establish a per diem rate based on an audited cost report for a 12-month period within the first two years of operation. Virginia-based residential psychiatric

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>facilities that do not submit cost reports shall be paid at 75 percent of the established rate ceiling. If necessary to enroll out-of-state providers for network adequacy, the department shall negotiate rates. If there is sufficient utilization, the department may require out-of-state providers to submit a cost report to establish a per diem rate. In-state and out-of-state provider per diem rates shall be subject to a ceiling based on the statewide weighted average cost per day from fiscal year 2018 cost reports. The department shall have the authority to implement these changes effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>DD. The Department of Medical Assistance Services shall work with the Department of Behavioral Health and Developmental Services in consultation with the Virginia Association of Community Services Boards, the Virginia Network of Private Providers, the Virginia Coalition of Private Provider Associations, and the Association of Community Based Providers, to establish rates for the Intensive In-Home Service based on quality indicators and standards, such as the use of evidence-based practices.</p>				
<p>EE.1. The Department of Medical Assistance Services shall seek federal authority through the necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to merge the Commonwealth Coordinated Care Plus and Medallion 4.0 managed care programs, effective July 1, 2022, into a single, streamlined managed care program that links seamlessly with the fee-for-service program, ensuring an efficient and well-coordinated Virginia Medicaid delivery system that provides high-quality care to its members and adds value for providers and the Commonwealth. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>2. The Department of Medical Assistance Services shall conduct an analysis of the impact of merging the separate Family Access to Medical Insurance Security (FAMIS) population into a single Children's Health Insurance Program children's eligibility group under Medicaid. Such analysis shall include the fiscal impact on medical and administrative costs to the agency, including any savings, the federal and state authorities that would need to be modified and processes needed to make such change, and a timeline for such process to occur. The department shall report the results of the analysis to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021.</p>				
<p>3. The Department of Medical Assistance shall undertake a review of current contracts and staffing to determine the operational savings that would result from merging the Commonwealth Coordinated Care Plus and Medallion 4.0 managed care programs. The department shall report on its review of such administrative cost savings and merger-related costs by October 1, 2021 to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.</p>				
<p>FF. The Department of Medical Assistance Services shall make programmatic changes in the provision of Residential Treatment Facility (Level C) and Levels A and B residential services (group homes) for children with serious emotional disturbances in order ensure appropriate utilization and cost efficiency. The department shall consider all available options including, but not limited to, prior authorization, utilization review and provider qualifications. The department shall have authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.</p>				
<p>GG. The Department of Medical Assistance Services (DMAS) shall have the authority to amend the State Plan for Medical Assistance to enroll and reimburse freestanding birthing centers accredited by the Commission for the Accreditation of Birthing Centers. Reimbursement shall be based on the Enhanced Ambulatory Patient Group methodology applied in a manner similar to the reimbursement methodology for ambulatory surgery centers. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>HH. The department may seek federal authority through amendments to the State Plans under Title XIX and XXI of the Social Security Act, and appropriate waivers to such, to develop and implement programmatic and system changes that allow expedited enrollment of Medicaid eligible recipients into Medicaid managed care, most importantly for pregnant women. The department shall have the authority to promulgate emergency regulations to</p>				



ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

implement this amendment within 280 days or less from the enactment date of this Act.

II.1. The Department of Medical Assistance Services, related to appeals administered by and for the department, shall have authority to amend regulations to:

i. Utilize the method of transmittal of documentation to include email, fax, courier, and electronic transmission.

ii. Clarify that the day of delivery ends at normal business hours of 5:00 pm.

iii. Eliminate an automatic dismissal against DMAS for alleged deficiencies in the case summary that do not relate to DMAS's obligation to substantively address all issues specified in the provider's written notice of informal appeal. A process shall be added, by which the provider shall file with the informal appeals agent within 12 calendar days of the provider's receipt of the DMAS case summary, a written notice that specifies any such alleged deficiencies that the provider knows or reasonably should know exist. DMAS shall have 12 calendar days after receipt of the provider's timely written notification to address or cure any of said alleged deficiencies. The current requirement that the case summary address each adjustment, patient, service date, or other disputed matter identified in the provider's written notice of informal appeal in the detail set forth in the current regulation shall remain in force and effect, and failure to file a written case summary with the Appeals Division in the detail specified within 30 days of the filing of the provider's written notice of informal appeal shall result in dismissal in favor of the provider on those issues not addressed by DMAS.

iv. Clarify that appeals remanded to the informal appeal level via Final Agency Decision or court order shall reset the timetable under DMAS' appeals regulations to start running from the date of the remand.

v. Clarify the department's authority to administratively dismiss untimely filed appeal requests.

vi. Clarify the time requirement for commencement of the formal administrative hearing.

vii. Clarify that settlement proposals may be tendered during the appeal process and that approval is subject to the requirements of § 2.2-514 of the Code of Virginia. The amended regulations shall develop a framework for the submission of the settlement proposal and state that the Department of Medical Assistance Services and the provider may jointly agree to stay the deadline for the informal appeal decision or for the formal appeal recommended decision of the Hearing Officer for a period of up to sixty (60) days to facilitate settlement discussions. If the parties reach a resolution as reflected by a written settlement agreement within the sixty-day period, then the stay shall be extended for such additional time as may be necessary for review and approval of the settlement agreement in accordance with law.

2. The Department of Medical Assistance Services shall have authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.

JJ. It is the intent of the General Assembly that the implementation and administration of the care coordination contract for behavioral health services be conducted in a manner that insures system integrity and engages private providers in the independent assessment process. In addition, it is the intent that in the provision of services that ethical and professional conflicts are avoided and that sound clinical decisions are made in the best interests of the individuals receiving behavioral health services. As part of this process, the department shall monitor the performance of the contract to ensure that these principles are met and that stakeholders are involved in the assessment, approval, provision, and use of behavioral health services provided as a result of this contract.

KK. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to allow for delivery of notices of program reimbursement or other items referred to in the regulations related to provider appeals by electronic means consistent with the Uniform Electronic Transactions Act. The department shall implement this change effective July 1, 2013, and prior to completion of any regulatory process undertaken in order to effect such changes.

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

LL. Effective July 1, 2017 through June 30, 2020, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to pay nursing facilities located in the former Danville Metropolitan Statistical Area (MSA) the operating rates calculated for the Other MSA peer group. For purposes of calculating rates under the rebasing effective July 1, 2017, the department shall use the peer groups based on the existing regulations. For future rebasings, the department shall permanently move these facilities to the Other MSA peer group. The department shall have the authority to implement this reimbursement change effective July 1, 2017 and prior to completion of any regulatory process undertaken in order to effect such change.

MM. The Department of Medical Assistance Services shall amend its State Plan under Title XIX of the Social Security Act to implement reasonable restrictions on the amount of incurred dental expenses allowed as a deduction from income for nursing facility residents. Such limitations shall include: (i) that routine exams and x-rays, and dental cleaning shall be limited to twice yearly; (ii) full mouth x-rays shall be limited to once every three years; and (iii) deductions for extractions and fillings shall be permitted only if medically necessary as determined by the department.

NN. Notwithstanding §32.1-325, et seq. and §32.1-351, et seq. of the Code of Virginia, and effective upon the availability of subsidized private health insurance offered through a Health Benefits Exchange in Virginia as articulated through the federal Patient Protection and Affordable Care Act (PPACA), the Department of Medical Assistance Services shall eliminate, to the extent not prohibited under federal law, Medicaid Plan First and FAMIS Moms program offerings to populations eligible for and enrolled in said subsidized coverage in order to remove disincentives for subsidized private healthcare coverage through publicly-offered alternatives. To ensure, to the extent feasible, a smooth transition from public coverage, DMAS shall endeavor to phase out such coverage for existing enrollees once subsidized private insurance is available through a Health Benefits Exchange in Virginia. The department shall implement any necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

OO. The Department of Medical Assistance Services shall have authority to amend the State Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act, and any waivers thereof, to implement requirements of the federal Patient Protection and Affordable Care Act (PPACA) as it pertains to implementation of Medicaid and CHIP eligibility determination and case management standards and practices, including the Modified Adjusted Gross Income (MAGI) methodology. The department shall have authority to implement such standards and practices upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

PP. Effective July 1, 2013, the Department of Medical Assistance Services shall establish a Medicaid Physician and Managed Care Liaison Committee including, but not limited to, representatives from the following organizations: the Virginia Academy of Family Physicians; the American Academy of Pediatricians – Virginia Chapter; the Virginia College of Emergency Physicians; the American College of Obstetrics and Gynecology – Virginia Section; Virginia Chapter, American College of Radiology; the Psychiatric Society of Virginia; the Virginia Medical Group Management Association; and the Medical Society of Virginia. The committee shall also include representatives from each of the department's contracted managed care organizations and a representative from the Virginia Association of Health Plans. The committee will work with the department to investigate the implementation of quality, cost-effective health care initiatives, to identify means to increase provider participation in the Medicaid program, to remove administrative obstacles to quality, cost-effective patient care, and to address other matters as raised by the department or members of the committee. The Committee shall establish an Emergency Department Care Coordination work group comprised of representatives from the Committee, including the Virginia College of Emergency Physicians, the Medical Society of Virginia, the Virginia Hospital and Healthcare Association, the Virginia Academy of Family Physicians and the Virginia Association of Health Plans to review the following issues: (i) how to improve coordination of care across provider types of Medicaid "super utilizers"; (ii) the impact of primary care provider incentive funding on improved interoperability between hospital and provider systems; and (iii) methods for formalizing a statewide emergency department collaboration to improve care and treatment of Medicaid recipients and increase cost efficiency in the Medicaid program, including recognized best practices for emergency departments. The

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

committee shall meet semi-annually, or more frequently if requested by the department or members of the committee. The department, in cooperation with the committee, shall report on the committee's activities annually to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than October 1 each year.

QQ.1. The Department of Medical Assistance Services shall seek federal authority through any necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to implement a comprehensive value-driven, market-based reform of the Virginia Medicaid/FAMIS programs.

2. The department is authorized to contract with qualified health plans to offer recipients a Medicaid benefit package adhering to these principles. Any coordination of non-traditional behavioral health services covered under contract with qualified health plans or through other means shall adhere to the principles outlined in paragraph EE.a. This reformed service delivery model shall be mandatory, to the extent allowed under the relevant authority granted by the federal government and shall, at a minimum, include (i) limited high-performing provider networks and medical/health homes; (ii) financial incentives for high quality outcomes and alternative payment methods; (iii) improvements to encounter data submission, reporting, and oversight; (iv) standardization of administrative and other processes for providers; and (v) support of the health information exchange.

3.a. Notwithstanding § 30-347, Code of Virginia, or any other provision of law, the Department of Medical Assistance Services shall have the authority to (1) amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act and (2) begin the process of implementing a § 1115 demonstration project to transform the Medicaid program for newly eligible individuals pursuant to the provisions of 4.c. and eligible individuals enrolled in the existing Medicaid program. DMAS shall submit the § 1115 demonstration waiver application to CMS for approval. The department shall provide updates on the progress of the State Plan amendments and demonstration waiver applications to the Chairmen of the House Appropriations and Senate Finance Committees, or their designees, upon request, and provide for participation in discussions with CMS staff. The department shall respond to all requests for information from CMS on the State Plan Amendments and demonstration waiver applications in a timely manner.

b. The demonstration project shall include the following elements in the design: The Department of Medical Assistance Services shall develop a supportive employment and housing benefit targeted to high risk Medicaid beneficiaries with mental illness, substance use disorder, or other complex, chronic conditions who need intensive, ongoing support to obtain and maintain employment and stable housing.

c. The department shall have the authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment date of this Act.

4. In the event that the increased federal medical assistance percentages for newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA are modified through federal law or regulation from the methodology in effect on January 1, 2014, resulting in a reduction in federal medical assistance as determined by the department in consultation with the Department of Planning and Budget, the Department of Medical Assistance Services shall disenroll and eliminate coverage for individuals who obtained coverage through 42 U.S.C. § 1396d(y)(1) [2010] of the PPACA. The disenrollment process shall include written notification to affected Medicaid beneficiaries, Medicaid managed care plans, and other providers that coverage will cease as soon as allowable under federal law following the date the department is notified of a reduction in Federal Medical Assistance Percentage.

RR.1. Effective July 1, 2014, the Department of Medical Assistance Services shall replace the current Disproportionate Share Hospital (DSH) methodology with the following methodology:

a) DSH eligible hospitals must have a total Medicaid Inpatient Utilization Rate equal to 14

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	percent or higher in the base year using Medicaid days eligible for Medicare DSH or a Low Income Utilization Rate in excess of 25 percent and meet other federal requirements. Eligibility for out of state cost reporting hospitals shall be based on total Medicaid utilization or on total Medicaid NICU utilization equal to 14 percent or higher.			
	b) Each hospital's DSH payment shall be equal to the DSH per diem multiplied by each hospital's eligible DSH days in a base year. Days reported in provider fiscal years in state FY 2011 will be the base year for FY 2015 prospective DSH payments. DSH will be recalculated annually with an updated base year. DSH payments are subject to applicable federal limits.			
	c) Eligible DSH days are the sum of all Medicaid inpatient acute, psychiatric and rehabilitation days above 14 percent for each DSH hospital subject to special rules for out of state cost reporting hospitals. Eligible DSH days for out of state cost reporting hospitals shall be the higher of the number of eligible days based on the calculation in the first sentence times Virginia Medicaid utilization (Virginia Medicaid days as a percent of total Medicaid days) or the Medicaid NICU days above 14 percent times Virginia NICU Medicaid utilization (Virginia NICU Medicaid days as a percent of total NICU Medicaid days). Eligible DSH days for out of state cost reporting hospitals who qualify for DSH but who have less than 12 percent Virginia Medicaid utilization shall be 50 percent of the days that would have otherwise been eligible DSH days.			
	d) Additional eligible DSH days are days that exceed 28 percent Medicaid utilization for Virginia Type Two hospitals (excluding Children's Hospital of the Kings Daughters).			
	e) The DSH per diem shall be calculated in the following manner:			
	a. The DSH per diem for Type Two hospitals is calculated by dividing the total Type Two DSH allocation by the sum of eligible DSH days for all Type Two DSH hospitals. For purposes of DSH, Type Two hospitals do not include Children's Hospital of the Kings Daughters (CHKD) or any hospital whose reimbursement exceeds its federal uncompensated care cost limit. The Type Two Hospital DSH allocation shall equal the amount of DSH paid to Type Two hospitals in state FY 2014 increased annually by the percent change in the federal allotment, including any reductions as a result of the Affordable Care Act, adjusted for the state fiscal year.			
	b. The DSH per diem for State Inpatient Psychiatric Hospitals is calculated by dividing the total State Inpatient Psychiatric Hospital DSH allocation by the sum of eligible DSH days. The State Inpatient Psychiatric Hospital DSH allocation shall equal the amount of DSH paid in state FY 2013 increased annually by the percent change in the federal allotment, including any reductions as a result of the Affordable Care Act, adjusted for the state fiscal year.			
	c. The DSH per diem for CHKD shall be three times the DSH per diem for Type Two hospitals.			
	d. The DSH per diem for Type One hospitals shall be 17 times the DSH per diem for Type Two hospitals.			
	2. Each year, the department shall determine how much Type Two DSH has been reduced as a result of the Affordable Care Act and adjust the percent of cost reimbursed for outpatient hospital reimbursement.			
	3. The department shall convene the Hospital Payment Policy Advisory Council at least once a year to consider additional changes to the DSH methodology.			
	4. The department shall have the authority to implement these reimbursement changes effective July 1, 2014, and prior to completion of any regulatory process in order to effect such changes.			
	SS. The Department of Medical Assistance Services shall have authority to amend the State Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act, and any waivers thereof, to implement requirements of the federal Patient Protection and Affordable Care Act (PPACA), P.L. 111-148, as it pertains to implementation of Medicaid and CHIP eligibility determination and case management standards and practices, including the Modified Adjusted Gross Income (MAGI) methodology and, notwithstanding the requirements of Code of Virginia §2.2-4000, et seq., the process for administrative appeals of			

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>MAGI-related eligibility determinations. The department shall have authority to implement such standards and practices upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such changes.</p>				
<p>TT.1. Notwithstanding § 32.1-330 of the Code of Virginia, the Department of Medical Assistance Services shall improve the preadmission screening process for individuals who will be eligible for long-term care services, as defined in the state plan for medical assistance. The community-based screening team shall consist of a licensed health care professional and a social worker who are employees or contractors of the Department of Health or the local department of social services, or other assessors contracted by the department. The department shall not contract with any entity for whom there exists a conflict of interest. For community-based screening for children, the screening shall be performed by an individual or entity with whom the department has entered into a contract for the performance of such screenings.</p>				
<p>2. The department shall track and monitor all requests for screenings and report on those screenings that have not been completed within 30 days of an individual's request for screening. The screening teams and contracted entities shall use the reimbursement and tracking mechanisms established by the department.</p>				
<p>3. The Department of Medical Assistance Services shall promulgate regulations to implement these provisions to be effective within 280 days of its enactment. The department may implement any changes necessary to implement these provisions prior to the promulgation of regulations undertaken in order to effect such changes.</p>				
<p>UU.1.a. There is hereby appropriated sum-sufficient nongeneral funds for the Department of Medical Assistance Services (DMAS) to pay the state share of supplemental payments for qualifying private hospital partners of Type One hospitals (consisting of state-owned teaching hospitals) as provided in the State Plan for Medical Assistance Services. Qualifying private hospitals shall consist of any hospital currently enrolled as a Virginia Medicaid provider and owned or operated by a private entity in which a Type One hospital has a non-majority interest. The supplemental payments shall be based upon the reimbursement methodology established for such payments in Attachments 4.19-A and 4.19-B of the State Plan for Medical Assistance Services. DMAS shall enter into a transfer agreement with any Type One hospital whose private hospital partner qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments to the private hospital partner. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by the Centers for Medicare and Medicaid Services (CMS) and prior to completion of any regulatory process in order to effect such changes.</p>				
<p>b. The department shall adjust capitation payments to Medicaid managed care organizations for the purpose of securing access to Medicaid hospital services for the qualifying private hospital partners of Type One hospitals (consisting of state-owned teaching hospitals). The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments and provider payment requirements. DMAS shall enter into a transfer agreement with any Type One hospital whose private hospital partner qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments to the private hospital partner. The department shall have the authority to implement these reimbursement changes consistent with the effective date approved by the Centers for Medicare and Medicaid Services (CMS). No payment shall be made without approval from CMS.</p>				
<p>2.a. The Department of Medical Assistance Services shall promulgate regulations to make supplemental payments to Medicaid physician providers with a medical school located in Eastern Virginia that is a political subdivision of the Commonwealth. The amount of the supplemental payment shall be based on the difference between the average commercial rate approved by CMS and the payments otherwise made to physicians. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to completion of any regulatory process in order to effect such changes.</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
b. The department shall increase payments to Medicaid managed care organizations for the purpose of securing access to Medicaid physician services in Eastern Virginia, through higher rates to physicians affiliated with a medical school located in Eastern Virginia that is a political subdivision of the Commonwealth subject to applicable limits. The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments, and provider payment requirements, subject to approval by CMS. No payment shall be made without approval from CMS.				
c. Funding for the state share for these Medicaid payments is authorized in Item 254.				
3.a. The Department of Medical Assistance Services (DMAS) shall have the authority to amend the State Plan for Medical Assistance Services (State Plan) to implement a supplemental Medicaid payment for local government-owned nursing homes. The total supplemental Medicaid payment for local government-owned nursing homes shall be based on the difference between the Upper Payment Limit of 42 CFR §447.272 as approved by CMS and all other Medicaid payments subject to such limit made to such nursing homes. There is hereby appropriated sum-sufficient funds for DMAS to pay the state share of the supplemental Medicaid payment hereunder. However, DMAS shall not submit such State Plan amendment to CMS until it has entered into an intergovernmental agreement with eligible local government-owned nursing homes or the local government itself which requires them to transfer funds to DMAS for use as the state share for the supplemental Medicaid payment each nursing home is entitled to and to represent that each has the authority to transfer funds to DMAS and that the funds used will comply with federal law for use as the state share for the supplemental Medicaid payment. If a local government-owned nursing home or the local government itself is unable to comply with the intergovernmental agreement, DMAS shall have the authority to modify the State Plan. The department shall have the authority to implement the reimbursement change consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change.				
b. If by June 30, 2017, the Department of Medical Assistance Services has not secured approval from the Centers for Medicare and Medicaid Services to use a minimum fee schedule pursuant to 42 C.F.R. § 438.6(c)(1)(iii) for local government-owned nursing homes participating in Commonwealth Coordinated Care Plus (CCC Plus) at the same level as and in lieu of the supplemental Medicaid payments authorized in Section XX.3.a., then DMAS shall: (i) exclude Medicaid recipients who elect to receive nursing home services in local government-owned nursing homes from CCC Plus; (ii) pay for such excluded recipient's nursing home services on a fee-for-service basis, including the related supplemental Medicaid payments as authorized herein; and (iii) prohibit CCC Plus contracted health plans from in any way limiting Medicaid recipients from electing to receive nursing home services from local government-owned nursing homes. The department may include in CCC Plus Medicaid recipients who elect to receive nursing home services in local government-owned nursing homes in the future when it has secured federal CMS approval to use a minimum fee schedule as described above.				
4. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance Services to implement a supplemental payment for clinic services furnished by the Virginia Department of Health (VDH) effective July 1, 2015. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Medicaid payments. VDH may transfer general fund to the department from funds already appropriated to VDH to cover the non-federal share of the Medicaid payments. The department shall have the authority to implement the reimbursement change effective July 1, 2015, and prior to the completion of any regulatory process undertaken in order to effect such changes.				
5. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the supplemental physician payments for physicians employed at a freestanding children's hospital serving children in Planning District 8 with more than 50 percent Medicaid inpatient utilization in fiscal year 2014 to the maximum allowed by the Centers for Medicare and Medicaid Services within the limit of the appropriation provided for this purpose. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Virginia Medicaid fee-for-service payments. The department shall have the authority to implement				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

these reimbursement changes effective July 1, 2016, and prior to the completion of any regulatory process undertaken in order to effect such change.

6.a. The Department of Medical Assistance Services shall promulgate regulations to make supplemental Medicaid payments to the primary teaching hospitals affiliated with a Liaison Committee on Medical Education (LCME) accredited medical school located in Planning District 23 that is a political subdivision of the Commonwealth and an LCME accredited medical school located in Planning District 5 that has a partnership with a public university. The amount of the supplemental payment shall be based on the reimbursement methodology established for such payments in Attachments 4.19-A and 4.19-B of the State Plan for Medical Assistance and/or the department's contracts with managed care organizations. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment or the managed care contracts approved by the Centers for Medicare and Medicaid Services (CMS) and prior to completion of any regulatory process in order to effect such changes. No payment shall be made without approval from CMS.

b. Funding for the state share for these Medicaid payments is authorized in Item 254 and Item 4-5.03.

c. Payments authorized in this subsection shall sunset after the effective date of a statewide supplemental payment for private acute care hospitals authorized in Item 3-5.16. For purposes of the upper payment limit, the department shall prorate the upper payment limit if the sunset date is mid-fiscal year. The department shall have the authority to implement this change prior to the completion of any regulatory process undertaken in order to effect such change.

7. The department shall amend the State plan for Medical Assistance to implement a supplemental inpatient and outpatient payment for Chesapeake Regional Hospital based on the difference between reimbursement with rates using an adjustment factor of 100% minus current authorized reimbursement subject to the inpatient and outpatient Upper Payment Limits for non-state government owned hospitals. The department shall include in its contracts with managed care organizations a minimum fee schedule for Chesapeake Regional Hospital consistent with rates using an adjustment factor of 100%. The department shall adjust capitation payments to Medicaid managed care organizations to fund this minimum fee schedule. Both the contract changes and capitation rate adjustments shall be compliant with 42 C.F.R. 438.6(c)(1)(iii) and subject to CMS approval. Prior to submitting the State Plan Amendment or making the managed care contract changes, Chesapeake Regional Hospital shall enter into an agreement with the department to transfer the non-federal share for these payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date(s) approved by the Centers for Medicare and Medicaid (CMS). No payments shall be made without CMS approval.

8.a. There is hereby appropriated sum-sufficient nongeneral funds for the department to pay the state share of supplemental payments for nursing homes owned by Type One hospitals (consisting of state-owned teaching hospitals) as provided in the State Plan for Medical Assistance Services. The total supplemental payment shall be based on the difference between the Upper Payment Limit of 42 CFR § 447.272 as approved by CMS and all other Medicaid payments subject to such limit made to such nursing homes. DMAS shall enter into a transfer agreement with any Type One hospital whose nursing home qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to completion of any regulatory process in order to effect such changes.

b. The department shall adjust capitation payments to Medicaid managed care organizations to fund a minimum fee schedule compliant with requirements in 42 C.F.R. § 438.6(c)(1)(iii) at a level consistent with the State Plan amendment authorized above for nursing homes owned by Type One hospitals. The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments and provider payment requirements. DMAS shall enter into a transfer agreement with any Type One hospitals whose nursing home qualifies for such supplemental payments, under

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date approved by CMS. No payment shall be made without approval from CMS.

9. The department shall amend the State plan for Medical Assistance to implement a supplemental inpatient payment for Lake Taylor Transitional Care Hospital based on the difference between Medicaid reimbursement and the inpatient Upper Payment Limit for non-state government owned hospitals. The department shall include in its contracts with managed care organizations a percentage increase for Lake Taylor Transitional Care Hospital consistent with the fee for service supplemental payment percentage increase. The department shall adjust capitation payments to Medicaid managed care organizations to fund this percentage increase. Both the contract changes and capitation rate adjustments shall be compliant with 42 C.F.R. 438.6(c)(1)(iii) and subject to CMS approval. Prior to submitting the State Plan Amendment or making the managed care contract changes, Lake Taylor Transitional Care Hospital shall enter into an agreement with the department to transfer the non-federal share for these payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date(s) approved by the Centers for Medicare and Medicaid (CMS). No payments shall be made without CMS approval. The originating funding for this program will come entirely from Lake Taylor for Lake Taylor.

VV. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to provide coverage for cessation services for tobacco users, including pharmacology, group and individual counseling, and other treatment services including the most current version of or an official update to the Clinical Health Guideline "Treating Tobacco Use and Dependence" published by the Public Health Service of the U.S. Department of Health and Human Services. These services shall be subject to copayment requirements. The department shall have authority to implement this reimbursement change effective July 1, 2014 and prior to the completion of any regulatory process undertaken in order to effect such changes.

WW. The Department of Medical Assistance Services shall have the authority to implement Section 1902(a)(10)(A)(i)(IX) of the federal Social Security Act to provide Medicaid benefits up until the age of 26 to individuals who are or were in foster care at least until the age of 18 in any state.

XX.1. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XIX of the Social Security Act to add coverage for comprehensive dental services to pregnant women receiving services under the Medicaid program to include: (i) diagnostic, (ii) preventive, (iii) restorative, (iv) endodontics, (v) periodontics, (vi) prosthodontics both removable and fixed, (vii) oral surgery, and (viii) adjunctive general services.

2. The Department of Medical Assistance Services is authorized to amend the FAMIS MOMS and FAMIS Select demonstration waiver (No. 21-W-00058/3) for FAMIS MOMS enrollees to add coverage for dental services to align with pregnant women's coverage under Medicaid.

3. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XXI of the Social Security Act to plan to allow enrollment for dependent children of state employees who are otherwise eligible for coverage.

4. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such changes.

YY. The Department of Medical Assistance Services shall convene a workgroup to evaluate and develop strategies and recommendations to improve payment policies and coordination of care in the Medicaid program to encourage the effective and efficient provision of care by providers and health care systems serving Medicaid members. The workgroup shall include representatives from the Virginia Hospital and Healthcare Association, hospitals, the Virginia Association of Health Plans, managed care organizations, emergency department and primary care physicians, and other stakeholders deemed necessary by the department. The workgroup shall: (i) evaluate the appropriate coordination of services and cooperation among Medicaid managed care organizations (MCOs), hospitals, physicians, social services organizations, and nonprofit organizations to achieve a reduction in hospital readmissions, improved health



ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

outcomes, and reduced overall costs of care for conditions with high rates of hospital readmission in the Medicaid program; (ii) examine the role of hospital discharge planning and MCO care coordinators in assisting Medicaid beneficiaries with access to appropriate care and services post-discharge and other factors that may contribute to higher rates of readmission such as social determinants of health that could impact a patient's readmission status; (iii) assess the effectiveness of past and current mechanisms to improve outcomes and readmission rates by hospitals and health care systems and best practices and models from federal programs and other states; (iv) assess how to prevent inappropriate utilization of emergency department services; (v) examine the role of MCO care coordinators in assisting Medicaid beneficiaries access to appropriate care, including Medicaid beneficiary access to and the availability and use of alternative non-emergency care options, adequacy of MCO provider networks and reimbursement for primary care and alternative non-emergency care options, and the effectiveness of past and current mechanisms to improve the use of alternative non-emergent care by Medicaid beneficiaries; (vi) evaluate the impact of freestanding emergency departments and hospital emergency department marketing on emergency department utilization along with lower-cost options for triage of non-emergency cases to alternative settings; (vii) consider other states efforts to address emergency department utilization, including the use of medical and health homes, alternative primary care sites, and programs to coordinate the health needs of "super-utilizers"; and (viii) consider strategies to engage in value-based payment arrangements and other forms of financial incentives to encourage appropriate utilization of services and cooperation by health care providers and systems in improving health care outcomes, including a review of designated Performance Withhold Program measures, Clinical Efficiency measures, and other existing or potential programs. The department shall provide data on emergency room utilization and hospital readmissions of Medicaid beneficiaries to the workgroup to assist in its evaluation and analysis. The department shall report on the workgroup's findings and recommendations to the Joint Subcommittee for Health and Human Resources Oversight by November 1, 2021.

ZZ. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the supplemental physician payments for practice plans affiliated with a freestanding children's hospital with more than 50 percent Medicaid inpatient utilization in fiscal year 2009 to the maximum allowed by the Centers for Medicare and Medicaid Services. The department shall have the authority to implement these reimbursement changes effective July 1, 2015, and prior to completion of any regulatory process undertaken in order to effect such change.

AAA. The Department of Medical Assistance Services (DMAS) shall amend its July 1, 2016, managed care contracts in order to conform to the requirement pursuant to House Bill 1942 / Senate Bill 1262, passed during the 2015 Regular Session, for prior authorization of drug benefits.

BBB.1. Out of this appropriation, \$3,100,000 the first year and \$3,850,000 the second year from the general fund and \$3,100,000 the first year and \$3,850,000 the second year from nongeneral funds shall be used for supplemental payments to fund the fourth year of graduate medical education for two residents who began their residencies in July 2017, the second and third years of graduate medical education of 13 funded slots for residents beginning their residencies in July 2018, the second year of graduate medical education of 16 funded slots for residencies in July 2019, the first and second years of graduate medical education for two residents in July 2020, who were awarded last year but their hiring was delayed, 31 slots for residents beginning their residencies in July 2020, provided to hospitals as awarded by the Virginia Health Care Workforce Authority, and 25 slots for residents beginning their residencies in July 2021.

2. The supplemental payment for each qualifying residency slot shall be \$100,000 annually minus any Medicare residency payment for which the sponsoring institution is eligible. For any residency program at a facility whose Medicaid payments are capped by the Centers for Medicare and Medicaid Services, the supplemental payments for each qualifying residency slot shall be \$50,000 from the general fund annually minus any Medicare residency payments for which the residency program is eligible. Supplemental payments shall be made for up to four years for each qualifying resident. Payments shall be made quarterly following the same schedule used for other medical education payments.

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
3. The Department of Medical Assistance Services shall submit a State Plan amendment based on the authorization in BBB.1. of this Item to make supplemental payments for graduate medical education residency slots. The supplemental payments are subject to federal Centers for Medicare and Medicaid Services approval. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.				
4.a. Effective July 1, 2017, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk General (2 residencies), Carilion Medical Center (6 residencies), Centra Lynchburg General Hospital (1 residency), Riverside Regional Medical Center (2 residencies), Bon Secours St. Francis Medical Center (2 residencies). The department shall make supplemental payments to Carilion Medical Center for 2 psychiatry residencies.				
b. Effective July 1, 2018, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk General (1 residency), Maryview Hospital (1 residency) and Carilion Medical Center (6 residencies). The department shall make supplemental payments to Carilion Medical Center for 2 psychiatric residencies and to Sentara Norfolk General for 1 OB/GYN residency and 2 psychiatric residencies.				
c. Effective July 1, 2019, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk General (1 residency), Maryview Hospital (1 residency), Carilion Medical Center (6 residencies), Centra Health (2 residencies), and Riverside Regional Medical Center (2 residencies). The department shall make supplemental payments to Inova Fairfax Hospital for 1 General Surgery residency and to Carilion Medical Center for 2 psychiatric residencies. The department shall make supplemental payments to Sentara Norfolk General 1 OB/GYN residency and 1 urology residency. The department shall make supplemental payments to the University of Virginia Health System for a one year fellowship in Addiction Medicine and to the Virginia Commonwealth University Health System for a one year fellowship in Addiction Medicine.				
d. Effective July 1, 2020, the department shall make supplemental payments for a primary care residency to Riverside Regional Medical Center. The department shall make supplemental payments to Sentara Norfolk General for 2 psychiatric residencies and 1 urology residency. In addition, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk General (3 residencies), Maryview Hospital (1 residency), Carilion Medical Center (7 residencies), and Centra Health (3 residencies). The department shall make supplemental payments to Sentara Norfolk General for 1 OB/GYN residency and Carilion Medical Center for 2 psychiatry residencies. The department shall make supplemental payments to Riverside Regional Medical Center for 8 emergency medicine residencies. The department shall make supplemental payments to Children's Hospital of King's Daughters for 2 general pediatrics residencies.				
e. Effective July 1, 2021, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Carilion Medical Center (7 residencies) and Centra Health (4 residencies). The department shall make supplemental payments to Sentara Norfolk General for 1 OB/GYN residency and 1 emergency medicine residency. The department shall make supplemental payments to Carilion Medical Center for 2 psychiatry residencies. The department shall make supplemental payments to Riverside Regional Medical Center for 8 emergency medicine residencies.				
5. Preference shall be given for residency slots located in underserved areas. Applications for slots that involve multiple medical care providers collaborating in training residents and that involve providing residents the opportunity to train in underserved areas are encouraged. A majority of the new residency slots funded each year shall be for primary care. The department shall adopt criteria for primary care, high need specialties and underserved areas as developed by the Virginia Health Workforce Development Authority. Beginning July 1, 2018, the department shall also review and consider applications from non-hospital sponsoring institutions, such as Federally Qualified Health Centers (FQHCs).				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
6. If the number of qualifying residency slots exceeds the available number of supplemental payments, the Virginia Health Workforce Development Authority shall determine which new residency slots to fund based on priorities developed by the authority.				
7. The sponsoring institution will be eligible for the supplemental payments as long as it maintains the number of residency slots in total and by category as a result of the increase. The sponsoring institutions must certify by June 1 each year that they continue to meet the criteria for the supplemental payments and report any changes during the year to the number of residents.				
8. The department shall require all sponsoring institutions receiving Medicaid medical education funding to report annually by September 15 on the number of residents in total and by specialty/subspecialty. Medical education funding includes payments for graduate medical education (GME) and indirect medical education (IME).				
CCC.1. The Department of Medical Assistance Services, in consultation with the appropriate stakeholders, shall amend the state plan for medical assistance and/or seek federal authority through an 1115 demonstration waiver, as soon as feasible, to provide coverage of inpatient detoxification, inpatient substance abuse treatment, residential detoxification, residential substance abuse treatment, and peer support services to Medicaid individuals in the Fee-for-Service and Managed Care Delivery Systems.				
2. The Department of Medical Assistance Services shall have the authority to make programmatic changes in the provision of all Substance Abuse Treatment Outpatient, Community Based and Residential Treatment services (group homes and facilities) for individuals with substance abuse disorders in order to ensure parity between the substance abuse treatment services and the medical and mental health services covered by the department and to ensure comprehensive treatment planning and care coordination for individuals receiving behavioral health and substance use disorder services. The department shall ensure appropriate utilization and cost efficiency, and adjust reimbursement rates within the limits of the funding appropriated for this purpose based on current industry standards. The department shall consider all available options including, but not limited to, service definitions, prior authorization, utilization review, provider qualifications, and reimbursement rates for the following Medicaid services: substance abuse day treatment for pregnant women, substance abuse residential treatment for pregnant women, substance abuse case management, opioid treatment, substance abuse day treatment, and substance abuse intensive outpatient. Any amendments to the State Plan or waivers initiated under the provisions of this paragraph shall not exceed funding appropriated in this Act for this purpose. The department shall have the authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.				
3. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance and any waivers thereof to include peer support services to children and adults with mental health conditions and/or substance use disorders. The department shall work with its contractors, the Department of Behavioral Health and Developmental Services, and appropriate stakeholders to develop service definitions, utilization review criteria and provider qualifications. Any amendments to the State Plan or waivers initiated under the provisions of this paragraph shall not exceed funding appropriated in this Act for this purpose. The department shall have the authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.				
4. The Department of Medical Assistance Services shall, prior to the submission of any state plan amendment or waivers to implement paragraphs CCC.1., CCC.2., and CCC.3., submit a plan detailing the changes in provider rates, new services added, other programmatic changes, and a certification of budget neutrality to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance Committees.				
DDD. The Department of Medical Assistance Services (DMAS), in consultation with the appropriate stakeholders, shall seek federal authority via a state plan amendment to cover low-dose computed tomography (LDCT) lung cancer screenings for high-risk adults. The department shall promulgate emergency regulations to implement this amendment within				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

280 days or less from the enactment of this Act.

EEE. The Department of Medical Assistance Services shall not expend any appropriation for an approved Delivery System Reform Incentive Program (DSRIP) §1115 waiver unless the General Assembly appropriates the funding. The department shall notify the Chairmen of the House Appropriations and Senate Finance Committees within 15 days of any final negotiated waiver agreement with the Centers for Medicare and Medicaid Services.

FFF. Effective July 1, 2017, the Department of Medical Assistance Services shall amend the managed care regulations to specify that all contracts with health plans in a Medicaid managed care delivery model, including long-term services and supports, require reimbursement to nursing facility and specialized care services at no less than the Medicaid established per diem rate for Medicaid covered days, using the department's methodologies, unless the managed care organization and the nursing facility or specialized care services provider mutually agree to an alternative payment. The department shall have authority to implement this provision prior to the completion of any regulatory process in order to effect such change.

GGG.1. The Department of Medical Assistance Services shall monitor the capacity available under the Upper Payment Limit (UPL) for all hospital supplemental payments and adjust payments accordingly when the UPL cap is reached. The department shall make an adjustment to stay under the UPL cap by reducing or eliminating as necessary supplemental payments to hospitals based on when the first supplemental payments were actually made so that the newest supplemental payments to hospitals would be impacted first and so on.

2. The Department of Medical Assistance Services shall have the authority to implement reimbursement changes deemed necessary to meet the requirements of this paragraph prior to the completion of any regulatory process in order to effect such changes.

HHH.1. By October 1, 2019, the Department of Medical Assistance Services shall require consumer-directed aides providing personal care, respite care and companion services in the Medicaid Commonwealth Coordinated Care (CCC) Plus Waiver and Developmental Disability waiver programs and the Early and Periodic Screening Diagnosis and Treatment (EPSDT) program to utilize an Electronic Visit Verification (EVV) system. Nothing in this paragraph shall apply to live-in caretakers, who shall be exempt from the EVV requirements beginning January 1, 2021. The department is authorized to contract with a vendor to provide access to an EVV system for use by consumer-directed aides.

2. For personal care, respite care and companion services agencies, the department shall work with the appropriate stakeholders to develop standards for electronic visit verification systems and certification requirements to ensure EVV systems used by such agencies meet all federal requirements and are capable of providing the necessary data the department may require.

3. Nothing stated above shall apply to respite services provided by a DBHDS licensed provider in a DBHDS licensed program site such as a group home, sponsored residential home, supervised living, supported living or similar facility/location licensed to provide respite, as allowed by the Centers for Medicare and Medicaid.

4. The department shall ensure that implementation of electronic visit verification complies with all requirements of the federal Centers of Medicare and Medicaid Services. The department shall have authority to implement these provisions prior to the completion of any regulatory process in order to effect such changes.

III.1. Effective July 1, 2017, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the formula for indirect medical education (IME) for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 as a substitute for DSH payments. The formula for these hospitals for indirect medical education for inpatient hospital services provided to Medicaid patients but reimbursed by capitated managed care providers shall be identical to the formula for Type One hospitals. The IME payments shall continue to be limited such that total payments to freestanding children's hospitals with greater than 50 percent Medicaid utilization do not exceed the federal uncompensated care cost limit to which disproportionate share hospital payments are subject, excluding third party reimbursement for Medicaid eligible patients. The department shall have the authority to implement these changes effective July 1, 2017, and prior to

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

completion of any regulatory action to effect such changes.

2. The Department of Medical Assistance Services (DMAS) shall have the authority to create additional hospital supplemental payments for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 to replace payments that have been reduced due to the federal regulation on the definition of uncompensated care costs effective June 2, 2017. These new payments shall equal what would have been paid to the freestanding children's hospitals under the current disproportionate share hospital (DSH) formula without regard to the uncompensated care cost limit. These additional hospital supplemental payments shall take precedence over supplemental payments for private acute care hospitals. If the federal regulation is voided, DMAS shall continue DSH payments to the impacted hospitals and adjust the additional hospital supplemental payments authorized in this paragraph accordingly. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effectuate such change.

JJJ. For the period beginning September 1, 2016 until 180 days after publication and distribution of the Developmental Disabilities Waivers provider manual by the Department of Medical Assistance Services (DMAS), retraction of payment from Developmental Disabilities Waivers providers following an audit by DMAS or one of its contractors is only permitted when the audit points identified are supported by the Code of Virginia, regulations, DMAS general providers manuals, or DMAS Medicaid Memos in effect during the date of services being audited.

KKK. The Department of Medical Assistance Services shall submit a report annually on all supplemental payments made to hospitals through the Medicaid program. This report shall include information for each hospital and by type of supplemental payment (Disproportionate Share Hospital, Graduate Medical Education, Indirect Medical Education, Upper Payment Limit program, and others). The report shall include total Medicaid payments from all sources and calculate the percent of overall payments that are supplemental payments. Furthermore, it shall include a description of each type of supplemental payment and the methodology used to calculate the payments. Each report shall reflect the data for the prior three fiscal years and shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees by September 1 each year.

LLL. Effective July 1, 2018, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to make the following changes. The department shall: (i) eliminate eligibility for Disproportionate Share Hospital (DSH) payments for Children's National Medical Center (CNMC); (ii) increase the annual indirect medical education (IME) payments for CNMC by the amount of DSH the hospital was eligible for in fiscal year 2018; and (iii) reduce the Type 2 DSH allocation by this same amount. The department shall have the authority to implement these changes effective July 1, 2018, and prior to completion of any regulatory action to effect such change.

MMM.1. The Department of Medical Assistance Services shall work with stakeholders to review and adjust medical necessity criteria for Medicaid-funded nursing services including private duty nursing, skilled nursing, and home health. The department shall adjust the medical necessity criteria to reflect advances in medical treatment, new technologies, and use of integrated care models including behavioral supports. The department shall have the authority to amend the necessary waiver(s) and the State Plan under Titles XIX and XXI of the Social Security Act to include changes to services covered, provider qualifications, medical necessity criteria, and rates and rate methodologies for private duty nursing. The adjustments to these services shall meet the needs of members and maintain budget neutrality by not requiring any additional expenditure of general fund beyond the current projected appropriation for such nursing services.

2. The department shall have authority to implement these changes to be effective July 1, 2019. The department shall also have authority to promulgate any emergency regulations required to implement these necessary changes within 280 days or less from the enactment dated of this act. The department shall submit a report and estimates of any projected cost savings to the Chairmen of the House Appropriations and Senate Finance Committees 30 days prior to implementation of such changes.

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>NNN. Effective July 1, 2019, the department shall amend the State Plan for Medical Assistance to clarify payment rules for new nursing homes or renovations that qualify for mid-year rate adjustments, to include the following:</p> <ol style="list-style-type: none"> <li>1. For any facility whose Fair Rental Value report has less than 12 months of experience, the department shall develop an occupancy schedule that represents average statewide occupancy by month of operation for use in calculating the per diem rate in lieu of a minimum occupancy requirement or actual occupancy.</li> <li>2. Any new beds or renovations placed in service between the reporting year and the rate year shall be treated as a mid-year rate adjustment. No new rate will be made after April 30. Rate updates that fall between May 1 and June 30 shall be effective July 1 of the same year.</li> <li>3. The department shall annualize real estate taxes, property taxes and property insurance costs that do not represent a full year's cost.</li> <li>4. Costs shall be based on currently available documentation at the time but are subject to audit. The department may use any reasonable method to estimate costs for which there is inadequate documentation. Any adjustments based on subsequent documentation or audit for a current rate year shall be applied beginning with the next rate year.</li> <li>5. The department shall have 15 days from the date of the provider's submission to determine if the filing is complete for purposes of setting a rate for a new or renovated facility. The facility shall have 15 days from the date the filing is deemed incomplete to submit the required information. The deadline for setting the rate shall be extended for 30 days after the filing is deemed complete.</li> <li>6. Providers may propose a phased renovation subject to approval by the department. The phased renovation may include reductions to available beds. Any modifications to the proposed renovation are also subject to approval by the department.</li> <li>7. The department shall have the authority to implement these reimbursement changes effective July 1, 2019 and prior to the completion of any regulatory process undertaken in order to effect such change.</li> </ol> <p>OOO. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance and any relevant waivers thereof to modify reimbursement for Hospice services provided to patients residing in facilities to include at least 100 percent of the relevant Medicaid facility rate for that individual, a component commonly referred to as "room and board." To the extent allowed under federal law and regulation, the Department shall further amend the State plan and/or relevant waivers thereof to pay this "room and board" rate in effect with no discount applied to the facility directly, thus eliminating the Hospice from its role in passing-through this facility payment to the facility. To the extent federal approval of this direct payment component is dependent on whether it is in the State Plan or in relevant waivers, the Department shall implement the direct payment where federal approval is achieved. The department shall have authority to implement these changes effective July 1, 2019 and prior to the completion of any regulatory process undertaken in order to effect such change.</p> <p>PPP. Effective July 1, 2019, the Department of Medical Assistance Services shall increase the telehealth originating site facility fee to 100 percent of the Medicare rate and shall reflect changes annually based on any changes in the Medicare rate. The department shall exempt Federally Qualified Health Centers and Rural Health Centers from this reimbursement change. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.</p> <p>QQQ. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase reimbursement for Critical Access Hospitals by using an adjustment factor or percent of cost reimbursement of 100% for inpatient operating and capital rates and outpatient rates effective July 1, 2019. The department shall have the authority to implement these changes effective July 1, 2019 and prior to completion of any regulatory action to effect such change.</p> <p>RRR. The Department of Medical Assistance Services shall pursue any and all alternatives and cost based reimbursement models to allow a private hospital in rural Southwest Virginia</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

that has closed in the last five years to recoup capital startup costs and minimize operating losses for the next five years, including but not limited to optimizing federal matching dollars in accordance with federal law.

SSS. The Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services shall recognize the Certified Employment Support Professional (CESP) and Association of Community Rehabilitation Educators (ACRE) certifications in lieu of competency requirements for supported employment staff in the Medicaid Community Living, Family and Individual Support and Building Independence Waiver programs and shall allow providers that are Department for the Aging and Rehabilitative Services vendors that hold a national three-year accreditation from the Commission on Accreditation of Rehabilitation Facilities (CARF) to be deemed qualified to meet employment staff competency requirements, provided the provider submits the results from their CARF surveys including recommendations received to the Department of Behavioral Health and Developmental Services so that the agency can verify that there are no recommendations for the standards that address staff competency.

TTT. Effective July 1, 2019, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the practitioner rates for primary care services by five percent and rates for Emergency Department services by one percent to reflect the equivalent of 70 percent of the 2018 Medicare rates. The department shall ensure through its contracts with managed care organizations that the rate increase is reflected in their rates to providers. The department shall have the authority to implement these reimbursement changes prior to the completion of the regulatory process.

UUU. Effective July 1, 2019, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to create a separate service category for psychiatric services and to increase practitioner rates for psychiatric services by 21 percent to reflect the equivalent of 100 percent of the 2018 Medicare rates. All practitioners who bill these services shall receive new rates. The department shall have the authority to implement these reimbursement changes prior to the completion of the regulatory process.

VVV. The Department of Medical Assistance Services shall amend its contracts with managed care organizations to require written notification and training to agency-directed personal care providers at least 60 days prior to the implementation of all changes to Quality Management Review and prior authorization policies and processes consistent with state and federal regulations.

XXX. Effective upon federal approval but no earlier than April 1, 2021, the Department of Medical Assistance Services shall amend the State Plan under Title XIX of the Social Security Act to eliminate the 40 quarter work requirement for Lawful Permanent Residents who otherwise meet all Medicaid eligibility requirements. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.

YYY.1. The Department of Medical Assistance Services (DMAS) shall have the authority to implement programmatic changes to service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the following existing Medicaid behavioral health services: assertive community treatment, mental health partial hospitalization programs, crisis intervention and crisis stabilization services.

2. The department shall have the authority to develop new service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the following new Medicaid behavioral health services: multi-systemic therapy, family functional therapy, intensive outpatient services, mobile crisis intervention services, 23 hour temporary observation services and residential crisis stabilization unit services.

3. Effective on or after July 1, 2021, DMAS shall implement programmatic changes and reimbursement rates for the following services: assertive community treatment, multi-systemic therapy and family functional therapy.

4. Effective on or after July 1, 2021, DMAS shall implement programmatic changes and

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>reimbursement rates for the following services: intensive outpatient services, partial hospitalization programs, mobile crisis intervention services, 23 hour temporary observation services, crisis stabilization services and residential crisis stabilization unit services.</p>				
<p>5. Included in this Item is an additional \$80,909 the second year from the general fund and \$13,791,201 the second year from nongeneral funds to effect the changes required by paragraphs above. In the development and implementation of these changes, the department shall ensure appropriate utilization and cost efficiency. Reimbursement rate changes shall be budget neutral and must not exceed the funding appropriated in the Act for these services.</p>				
<p>6. The Department of Medical Assistance Services shall, prior to the submission of any state plan amendment or waivers to implement these paragraphs, submit a plan detailing the changes in provider rates, new services added and other programmatic changes to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance Committees.</p>				
<p>7. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.</p>				
<p>AAAA. Effective July 1, 2021, the Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to extend coverage for pregnant women between 138% and 205% of the Federal Poverty Level to up to one year postpartum. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.</p>				
<p>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.</p>				
<p>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.</p>				
<p>3. Included in this Item is an additional \$10,697,611 the first year and \$25,785,930 the second year from the general fund and \$10,697,611 the first year and \$25,785,930 the second year from the nongeneral funds to effect the changes required by the paragraph DDDD.1. above. The DMAS shall prepare a report that 1) identifies the implemented rate and rate increase percentage for each service impacted by this action; and 2) determines whether the estimated cost of each service is consistent with the funding provided in this Act. DMAS shall provide this report to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance Committees by December 1, 2020.</p>				
<p>4. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.</p>				
<p>EEEE. Effective July 1, 2021, the Department of Medical Assistance Services shall increase rates by 14.7 percent for psychiatric services to the equivalent of 110 percent of Medicare rates. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.</p>				
<p>GGGG. Effective on and after July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to modify reimbursement for nursing facility services such that the direct peer group price percentage shall be increased to 109.3 percent and the indirect peer group price percentage shall be increased to 103.3 percent. The department shall have the authority to implement these changes effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				



ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>HHHH. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to implement a supplemental disproportionate share hospital (DSH) payment for Chesapeake Regional Hospital up to its hospital-specific disproportionate share hospital limit (OBRA '93 DSH limit) as determined pursuant to 42 U.S.C. Section 1396r-4. The payment shall be made annually based upon the hospital's disproportionate share limit for the most recent year for which the disproportionate share limit has been calculated subject to the availability of DSH funds under the federal allotment of such funds to the department. Prior to submitting the State Plan Amendment, Chesapeake Regional Hospital shall enter into an agreement with the department to transfer the non-federal share of the supplemental DSH payment. Payment of the supplemental DSH payment is contingent upon receipt of intergovernmental transfer of funds or certified public expenditures from Chesapeake Regional Hospital. In the event that Chesapeake Regional Hospital is ineligible to transfer or certify necessary funds pursuant to federal law, the department may amend the State Plan for Medical Assistance to terminate the supplemental DSH payment program. The department shall have the authority to implement these reimbursement changes consistent with effective date(s) approved by the Centers for Medicare and Medicaid Services (CMS). No payments shall be made without CMS approval. In the event, that CMS recoups supplemental DSH hospital funds from the department, Chesapeake Regional Hospital shall reimburse such funds to the department.</p>				
<p>JJJJ. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to provide that any nursing facility which thereafter loses its Medicaid capital reimbursement status as a hospital-based nursing facility because a replacement hospital was built at a different location and Medicare rules no longer allow the nursing home's cost to be included on the hospital's Medicare cost report shall have its first fair rental value (FRV) capital payment rate set at the maximum FRV rental rate for a new free-standing nursing facility with the date of acquisition for its capital assets being the date the replacement hospital is licensed. The department shall have the authority to implement these reimbursement changes effective July 1, 2021 and prior to the completion of the regulatory process.</p>				
<p>KKKK. Effective July 1, 2020, the department shall amend the State Plan for Medical Assistance to increase the direct and indirect operating rates from 15 percent to 25.4 percent above a facility's calculated price-based rates where at least 80 percent of the resident population have one or more of the following diagnoses: quadriplegia, traumatic brain injury, multiple sclerosis, paraplegia, or cerebral palsy. In addition, a qualifying facility must have at least 90 percent Medicaid utilization and a case mix index of 1.15 or higher in fiscal year 2014. The department shall have the authority to implement this reimbursement methodology change for rates on or after July 1, 2021, and prior to completion of any regulatory process in order to effect such change.</p>				
<p>LLLL. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to establish Specialized Care operating rates for fiscal years 2021 and 2022 by inflating the fiscal year 2020 rates using Virginia nursing home inflation. After fiscal year 2022, the department shall revert to the existing cost-based methodology. The department has the authority to implement this change notwithstanding current regulations and consistent with the approved State Plan amendment.</p>				
<p>MMMM. The Department of Medical Assistance Services shall require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid program Durable Medical Equipment fee schedule for the same service or item of durable medical equipment, prosthetics, orthotics, and supplies. The department shall have the authority to implement this reimbursement change effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>NNNN. The Department of Medical Assistance Services (DMAS) shall convene an advisory panel of representatives chosen by the Virginia Association of Community Services Boards (VACSB), the Virginia Association of Community-Based Providers (VACBP), the Virginia Coalition of Private Provider Associations (VCOPPA), Caliber, the Virginia Network of Private Providers (VNPP), and the Virginia Hospital and Healthcare Association. The advisory panel shall meet at least every two months with the appropriate staff from DMAS to review and advise on all aspects of the plan for and implementation of the redesign of behavioral health services with a specific focus on</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

ensuring that the systemic plan incorporates development, and maintenance of sustainable business models. Upon advice of the Advisory panel, DMAS may assign staff, as necessary, to review operations of a sample of providers to examine the process for service authorization, the interpretation of the medical necessity criteria, and the claims processing by all Medicaid managed care organizations. DMAS will report their findings from this review to the advisory panel and to the Secretary of Health and Human Resources, and the Chairs of House Appropriations and Senate Finance by December 31, 2020.

OOOO. The Department of Medical Assistance Services (DMAS) shall convene a workgroup of stakeholders to include representatives of Jill's House, SOAR 365, Virginia Sponsored Residential Provider Group, the Virginia Association of Community Services Boards, the Virginia Network of Private Providers and the Department of Behavioral Health and Developmental Services to review the existing and any proposed regulations governing the provision of respite or personal assistance services to determine the barriers to the provision of these services in a center or residential setting other than the individual's home. DMAS shall consider the option of basing the reimbursement for center-based respite and personal assistance on the Level/Tier as determined by the individual's Supports Intensity Scale score. DMAS shall report on the conclusions of the workgroup to the Chairs of House Appropriations and Senate Finance and Appropriations Committees by December 1, 2020, including whether the department needs emergency regulatory authority to make changes in order to minimize barriers to services and support broader appropriate utilization of the identified services.

PPPP. The Department of Medical Assistance Services shall review and consider amending regulations governing the practice and requirements for peer recovery services for individuals with mental illness and/or substance use disorder. In reviewing the regulations, the department shall convene stakeholders to assess the existing barriers to providing the service and assist in the development of emergency regulations. Stakeholders shall include, but not be limited to, the Virginia Organization of Consumers Asserting Leadership (VOCAL), Substance Abuse Addiction Recovery Alliance (SAARA), Virginia Network of Private Providers (VNPP), Mental Health America-Virginia (MHA-V), Virginia Association of Community Services Boards (VACSB), and National Alliance for Mental Illness-Virginia (NAMI-V). The department shall have the authority to promulgate emergency regulations to implement changes that are budget neutral within 280 days or less from the enactment of this act. The department shall submit changes that have a fiscal impact as part of the normal budget process for consideration in the 2021 Session.

QQQQ. The Department of Medical Assistance Services shall adjust the post eligibility special earnings allowance for individuals in the CCC Plus, Community Living, Family and Individual Support and Building Independence waiver programs to incentivize employment for individuals receiving waiver services. DMAS shall lower the number of hours from at least eight hours but less than 20 hours per week requirement to at least four hours but less than 20 hours per week. The Special Earnings Allowance for waiver participants allows a percentage of earned income to be disregarded when calculating an individual's contribution to the cost of their waiver services when earning income. The current requirement is at least eight hours but less than 20 hours per week for a disregard of up to 200 percent of Supplemental Security Income (SSI) and a disregard of up to 300 percent for individuals that work 20 hours or more per week.

RRRR. The Department of Medical Assistance Services shall conduct an analysis to determine if any additional payment opportunities could be directed to the primary teaching hospital affiliated with a Liaison Committee on Medical Education (LCME) accredited medical school located in Planning District 23 that is a political subdivision of the Commonwealth, based on the department's reimbursement methodology established for such payments. If such opportunity does exist, the department shall work with the entities to determine the framework for implementing such payments, including a reasonable cap on such payments so other qualifying entities are not adversely affected in future years.

SSSS.1. Effective July 1, 2020, the Department of Medical Assistance Services shall increase the rates for agency and consumer directed personal care, respite and companion services in the home and community based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by five percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
effect such change.				
<p>2. Effective May 1, 2021, the Department of Medical Assistance Services shall increase the rates for agency- and consumer-directed personal care, respite and companion services in the home and community based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by 6.4 percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.</p>				
<p>3. Effective January 1, 2022, the Department of Medical Assistance Services shall increase the rates for agency- and consumer-directed personal care, respite and companion services in the home and community based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by 12.5 percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.</p>				
<p>4. The Governor shall include in the introduced budget for the 2022 Session, submitted pursuant to § 2.2-1509, Code of Virginia, appropriations to support additional rate increases for agency- and consumer-directed personal care, respite and companion services that reflect additional increases in the state minimum wage such that the rates: (i) maintain the existing differential between the consumer-directed Rest-of-State rate above the state minimum wage; (ii) maintain the differential between the Northern Virginia and the Rest-of-State rate; and (iii) for agency-directed services are increased by the same percentage increase applied to consumer-directed services based on the prior provisions.</p>				
<p>UUUU. Effective July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the practitioner rates for anesthesiologists to reflect the equivalent of 70 percent of the 2019 Medicare rates. The department shall ensure through its contracts with managed care organizations that the rate increase is reflected in their rates to providers. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process undertaken in order to effect such changes.</p>				
<p>VVVV. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the supplemental physician payments for physicians employed at a freestanding children's hospital serving children in Planning District 8 to the maximum allowed by the Centers for Medicare and Medicaid Services within the limit of the appropriation provided for this purpose. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Virginia Medicaid fee-for-service payments. The department shall have the authority to implement these reimbursement changes effective July 1, 2021, and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>WWWW. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance or any waiver under Title XIX of the Social Security Act to increase the income eligibility for participation in the Medicaid Works program to 138 percent of the Federal Poverty Level. The department shall have the authority to implement this change prior to the completion of the regulatory process necessary to implement such change.</p>				
<p>XXXX. The Department of Medical Assistance Services shall amend the State Plan under Title XIX and XXI to add coverage of tobacco cessation services for full coverage adults who are not enrolled pursuant to the Patient Protection and Affordable Care Act. The department shall have the authority to implement these changes effective July 1, 2021, and prior to the completion of any regulatory process undertaken in order to effect such changes.</p>				
<p>YYYY. Effective July 1, 2021, the Department of Medical Assistance Services shall increase rates for skilled and private duty nursing services to 80 percent of the benchmark rate developed by the department and consistent with the appropriation available for this purpose. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>ZZZZ. Effective, January 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any necessary waivers, to authorize time and a half up to eight hours and effective July 1, 2021, up to 16 hours for a single attendant who works more than 40 hours per week for attendants providing Medicaid-reimbursed consumer-directed (CD) personal assistance, respite and companion services. The department shall have authority to implement this provision prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>AAAAA. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to allow the pending, reviewing and the reducing of fees for avoidable emergency room claims for codes 99282, 99283 and 99284, both physician and facility. The department shall utilize the avoidable emergency room diagnosis code list currently used for Managed Care Organization clinical efficiency rate adjustments. If the emergency room claim is identified as a preventable emergency room diagnosis, the department shall direct the Managed Care Organizations to default to the payment amount for code 99281, commensurate with the acuity of the visit. The department shall have the authority to implement this reimbursement change effective July 1, 2020, and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>BBBBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services under Title XIX to modify the definition of readmissions to include cases when patients are readmitted to a hospital for the same or a similar diagnosis within 30 days of discharge, excluding planned readmissions, obstetrical readmissions, admissions to critical access hospitals, or in any case where the patient was originally discharged against medical advice. If the patient is readmitted to the same hospital for a potentially preventable readmission then the payment for such cases shall be paid at 50 percent of the normal rate, except that a readmission within five days of discharge shall be considered a continuation of the same stay and shall not be treated as a new case. Similar diagnoses shall be defined as ICD diagnosis codes possessing the same first three digits. The department shall have the authority to implement this reimbursement change effective July 1, 2020, and prior to the completion of any regulatory process undertaken in order to effect such change. The department shall report quarterly on the number of hospital readmissions, the cost, and the primary diagnosis of such readmissions to the Joint Subcommittee for Health and Human Resources Oversight.</p>				
<p>CCCCC. The Department of Medical Assistance Services shall establish a workgroup of Medicaid managed care organizations, physicians and pharmacists and other stakeholders, as necessary, to assess policies and procedures, including risk sharing arrangements, reimbursement methods or other mechanisms to determine Medicaid coverage and reimbursement of FDA fast-track drugs and emerging-break-through technologies. The assessment shall include an examination of other states' approaches to determine Medicaid coverage, clinical criteria for coverage across the fee-for-service and managed care programs, risk sharing arrangements, and reimbursement methodologies including kick-payments or other pass-through arrangements that are consistent with the utilization and cost of the drug or technology. The assessment will also examine and make recommendations regarding the timeline for providing coverage from the date of FDA approval of the drug or technology. The workgroup shall report on issues and recommendations to the Joint Subcommittee for Health and Human Resources Oversight by September 1, 2020, including any budgetary or regulatory authority required to implement changes for such coverage.</p>				
<p>DDDDD. The Department of Medical Assistance Services shall continue working with the Department of Behavioral Health and Developmental Services to complete the actions necessary to qualify to file a Section 1115 waiver application for Serious Mental Illness and/or Serious Emotional Disturbance. The department shall develop such a waiver application at the appropriate time that shall be consistent with the Addiction Treatment and Recovery Services substance abuse waiver program. The department shall develop a plan with a timeline and potential costs savings of such a waiver to the Commonwealth. The department shall provide an update on the status of the waiver by November 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.</p>				
<p>EEEE.1. Effective January 1, 2021, the Department of Medical Assistance Services shall develop and implement an actuarially sound risk adjustment model that addresses the</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>behavioral health acuity differences among the Medicaid managed care organizations for the community well population of individuals who are dually eligible for Medicare and Medicaid currently served through the Commonwealth Coordinated Care (CCC) Plus program. Behavioral Health services shall be defined to include the following: case management services, community behavioral health, early intervention services, and addiction and recovery treatment services. The risk adjustment shall be based on nationally accepted models, such as the Chronic Illness and Disability Payment System (COPS) or Clinical Classifications Software Refined (CCSR), and shall incorporate variables predictive of behavioral health service utilization. Managed care experience shall be utilized as the basis for the risk adjustment.</p>				
<p>2. Effective January 1, 2021, the Department of Medical Assistance Services shall develop and implement differential capitation rates for members in behavioral health treatment versus those who are not, for the community well population of individuals who are dually eligible for Medicare and Medicaid currently served through the CCC Plus program. The rates shall be actuarially sound and the behavioral health rates shall additionally incorporate risk adjustment to account for acuity differences amongst the managed care organizations. Behavioral health services shall be defined to include the following: case management services, community behavioral health, early intervention services, and addiction and recovery treatment services. The risk adjustment shall be based on nationally accepted models, such as The Chronic Illness and Disability Payment System (COPS) or Clinical Classifications Software Refined (CCSR), and shall incorporate variables predictive of behavioral health service utilization. Managed care experience shall be utilized as the basis for the establishment of the capitation rates and the risk adjustment.</p>				
<p>3. The risk adjustment model and differential capitation rates in these paragraphs shall be implemented such that the impact is budget neutral.</p>				
<p>FFFFF.1. The Department of Medical Assistance Services shall accept from any county, city, or town provider assessment funds that have been collected, pursuant to an ordinance, from inpatient hospitals to make Medicaid supplemental payments pursuant to the State Plan for Medical Assistance Services amendments 11-018 and 11-019. The Department of Medical Assistance Services shall pay such funds into the state treasury to be credited to the Medicaid Supplemental Payment Program Fund established in subsection 2.</p>				
<p>2. There is hereby created in the state treasury a special nonreverting fund to be known as the Medicaid Supplemental Payment Program Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds accepted by the Department of Medical Assistance Services from any county, city, or town to make Medicaid supplemental payments pursuant to the State Plan for Medical Assistance Services amendments 11-018 and 11-019 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of funding the non-federal share of the Medicaid supplemental payment programs authorized by the State Plan for Medical Assistance Services amendments 11-018 and 11-019. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department of Medical Assistance Services.</p>				
<p>3. Medicaid supplemental payments authorized under amendments 11-018 and 11-019 are strictly applicable to the period October 25, 2011 through June 30, 2017 and will necessarily be applied against the private hospital upper payment limit for each state fiscal year therein. No Medicaid supplemental payments authorized under amendments 11-018 and 11-019 may apply to any state fiscal year or any related private hospital upper payment limit beginning July 1, 2017.</p>				
<p>4. In the event of any federal disallowance action associated with Medicaid supplemental payments paid to qualifying hospitals by the Department of Medical Assistance Services under the authority of amendments 11-018 and 11-019, hospitals in receipt of the Medicaid supplemental payments in dispute or the hospital health system owner shall return to the Department of Medical Assistance Services all federal funds associated with</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

the Medicaid supplemental payments subject to the disallowance action.

5. The authority of a local government to enact an ordinance to impose an assessment shall be governed by the charter of such local government or pursuant to the Uniform Charters Powers Act.

6. The authority of the Department of Medical Assistance Services to appropriate monies under amendments 11-018 and 11-019 shall only be permitted as authorized in the budget.

7. The Department of Medicaid Assistance services shall retain five percent of the federal funding for state costs related to administration of the supplemental payment program and shall deposit such funds into the Health Care Fund.

8. The provisions of this paragraph are contingent on approval from CMS waiving the two year timely filing requirement and federal approval of the local provider assessment program.

GGGGG. The Department of Medical Assistance Services shall review reimbursement of services covered under the state's Medicaid program provided by local education agencies to Medicaid eligible children and determine what services can be covered outside of a student's Individualized Education Plan consistent with federal rules and regulations. The department shall evaluate options to consider to allow school divisions to draw down additional federal resources in supporting the needs of school children. The department shall report its findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 15, 2020.

HHHHH. Free-standing emergency departments, also referred to as dedicated emergency departments as defined in 42 C.F.R. § 489.24(b) that operate as a department of a hospital subject to requirements of the federal Emergency Medical Treatment and Labor Act (42 U.S.C. § 1395dd), and is located off the main hospital campus or in an independent facility, shall submit to the payor upon billing for services rendered (i) the campus location in which their services were rendered, and (ii) an indicator specifying that the services were rendered in a free-standing emergency department.

IIII.1. Effective July 1, 2021, the Department of Medical Assistance Services shall have the authority to amend the State Plan of Medical Assistance under Title XIX of the Social Security Act to provide a comprehensive dental benefit to adults. The department shall work with its Dental Advisory Committee, including members of the Virginia Dental Association, the Virginia Health Catalyst, the Virginia Commonwealth University School of Dentistry, the Virginia Dental Hygienists Association, the Virginia Health Care Association, a representative of the developmental and intellectual disability community, the Virginia Department of Health and the administrator of the Smiles for Children program to develop the benefit. The benefit shall be modeled after the existing benefit for pregnant women. The benefit shall include preventive and restorative services and shall not include any cosmetic services or orthodontic services. The Dental Advisory Committee shall design a benefit that does not exceed the appropriated funds to provide such services. The department shall work with its dental benefit administrator, the Virginia Dental Association, the Virginia Association of Free and Charitable Clinics, the Virginia Community Healthcare Association and other stakeholders to ensure an adequate network of providers and awareness among beneficiaries. The department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the benefit design and plans for the implementation of the benefit by November 1, 2020. The department shall have authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment date of this act.

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.

JJJJ. The Department of Medical Assistance Services shall conduct a review of other state methods and strategies for providing sick leave to personal care attendants and evaluate feasible options for the Commonwealth to consider. The department shall report its findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2020.

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

KKKKK.1. The Department of Medical Assistance Services, in collaboration with the Virginia Department of Social Services, state workforce agencies and programs, and appropriate stakeholders, shall develop a referral system designed to connect current and newly eligible Medicaid enrollees to employment, training, education assistance and other support services. The department shall review current federal law and regulations that may allow through State Plan amendments, contracts, or other policy changes, the department to support such a referral program. The department shall provide new enrollees in the Medicaid program, that have been identified as being potentially unemployed or underemployed with information on all available state and federal programs available to them that offer training, education assistance or other types of employment support services. The department shall work with its contracted managed care organizations to facilitate referrals to employment related services. To the degree that resources are available in other state agencies or from federal grants to support the referral program and existing authority permits such use, the department shall coordinate the use of such programs to provide assistance to Medicaid enrollees.

2. The department shall report on development of the referral program and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020.

LLLLL.1. The Department of Medical Assistance Services shall increase nursing home and specialized care per diem rates by \$20 per day per patient effective until June 30, 2021, and by \$15 per day effective July 1, 2021. Such adjustment shall be made through existing managed care capitation rates as a mandated specified rate increase. DMAS shall adjust capitation rates to account for the nursing facility rate increase. The department shall have the authority to file all necessary regulatory authorities without delay, make any necessary contract changes, and implement these reimbursement changes without regard to existing regulations. The specified rate increase in this paragraph applies across fee-for-service and Medicaid managed care.

2.a. The Department of Medical Assistance Services (DMAS) shall work with appropriate nursing facility (NF) stakeholders and the CCC Plus managed care organizations (MCOs) to develop a unified, value-based purchasing (VBP) program that includes enhanced funding for facilities that meet or exceed performance and/or improvement thresholds as developed, reported, and consistently measured by DMAS in cooperation with participating facilities. The methodology and timing for the Virginia nursing facility VBP program, including structures for nursing facility performance accountability and disbursement of earned financial incentives, shall be completed no later than December 31, 2021, with the program targeted to begin no later than July 1, 2022. Nursing facility performance evaluation under the program shall prioritize maintenance of adequate staffing levels and avoidance of negative care events, such as hospital admissions and emergency department visits. The program may also consider performance evaluation in the areas of preventive care, utilization of home and community based services, including community transitions, and other relevant domains of care.

b. During the first year of this program, half of the available funding shall be distributed to participating nursing facilities to be invested in functions, staffing, and other efforts necessary to build their capacity to enhance the quality of care furnished to Medicaid members. The size of such payments shall be based on the nursing facility size as determined by the average number of Medicaid members enrolled with the nursing facility. The remaining funding shall be allocated based on performance criteria as designated under the nursing facility VBP Program. The amount of funding devoted to nursing facility quality of care investments shall be 25 percent of available funding in the second year of the program before the program transitions to payments based solely on nursing facility performance criteria in the third year of the program. In the third year of this program, such funds as appropriated for this purpose shall be fully disbursed according to the aforementioned unified VBP arrangement to participating nursing facilities that qualify for the enhanced funding.

c. The department shall convene the stakeholders no less than annually through at least the first two years of the program to review program progress and discuss potential modifications to components of the arrangement, including, but not limited to, timing of enhanced payments, performance metrics, and threshold determinations. The department

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

shall implement the necessary regulatory changes and other necessary measures to be consistent with federal approval of any appropriate changes to the state plan or relevant waivers thereof, and prior to the completion of any regulatory process undertaken to effect such change.

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.

NNNNN. 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.

OOOOO. 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.

PPPPP. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to expand the Preferred Office-Based Opioid Treatment (OBOT) model to include individuals with substance use disorders (SUD) that are covered in the Addiction and Recovery Treatment Services (ARTS) benefit. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

QQQQQ. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to expand the definition of durable medical equipment per 42 CFR 440.70 (b) (3), so that the definition is no longer limited to items primarily used in the home but also extends to any setting where normal activities take place. The Department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

RRRRR. The Department of Medical Assistance Services (DMAS) is authorized to amend the State Plan for Medical Assistance Services to implement a supplemental Medicaid payment for Department of Veterans Services (DVS) state government-owned nursing facilities. The total supplemental Medicaid payment for DVS state government owned nursing homes shall be based on the difference between the Upper Payment Limit of 42 CFR 447.272, as approved by the Centers for Medicare and Medicaid Services (CMS), and all other Medicaid payments subject to such limit made to such nursing homes. DMAS shall not submit any State Plan amendment to CMS that implements this payment until DMAS enters into an intergovernmental agreement with DVS. This agreement shall include the following provisions: 1) DVS shall transfer funds to DMAS for use as the state share of the full cost of the supplemental Medicaid payment for which each nursing home is entitled; 2) DVS must demonstrate that it has the authority and ability to transfer the necessary funds to DMAS; and, 3) DVS shall attest that any funds provided for state match will comply with federal law for use as the state share for the supplemental Medicaid payment. If DVS is unable to enter into or comply with the provisions of such an intergovernmental agreement, then DMAS shall immediately modify the Medicaid State Plan and adjust any supplemental payments



ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

accordingly. DMAS shall have the authority to implement the reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change.

SSSSS. Out of amounts appropriated in the items for this agency, \$1,739,306 the second year from the general fund and \$3,805,694 the second year from nongeneral funds is provided to offset systems costs incurred by managed care organizations (MCO) as a result of complying with the federal requirements associated with the Interoperability and Patient Access Final Rule and the 21st Century Cures Act. Beginning with FY 2023 MCO contracts, the Department of Medical Assistance Services shall adjust capitation rates to remove all one-time funding associated with this effort.

TTTTT. The Department of Medical Assistance Services shall update its regulations to reflect the Department of Behavioral Health and Developmental Services licensing criteria for the American Society of Addiction Medicine (ASAM) Level of Care 4.0. The Department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

UUUUU. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize the reimbursement, using a budget neutral methodology, of pharmacy-administered immunizations for all vaccinations covered under the medical benefit for Medicaid members. Reimbursement for fee-for-service members shall be the cost of the vaccine plus an administration fee not to exceed \$16. Reimbursement for pharmacy-administered vaccinations for pediatric Medicaid members eligible for free vaccinations through the Vaccines For Children (VFC) program shall include only the administration fee. The Department is authorized to set the administration fee for COVID-19 vaccines at the same level as Medicare reimbursement for such vaccines. The Department shall promulgate regulations to become effective within 280 days or less from the enactment date of this Act to implement this change.

VVVVV. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage for clinically appropriate audio-only services, provider-to-provider consultations, store-and-forward, and virtual check-ins with patients. The Department shall promulgate regulations to become effective within 280 days or less from the enactment date of this Act to implement this change.

WWWWW. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage of community doula services for Medicaid-enrolled pregnant women. Services shall include up to 8 prenatal/postpartum visits, and support during labor and delivery. The Department shall also implement up to two linkage-to-care incentive payments for postpartum and newborn care.

XXXXX.1. Out of this appropriation, \$995,742 the second year from the general fund and \$995,742 the second year from nongeneral funds shall be used to fund the cost of COVID-19 vaccinations for non-expansion adults in the Medicaid fee-for-service and managed care programs. The Department of Medical Assistance Services (DMAS) shall have the authority to make necessary changes to waivers and/or the Medicaid state plan to implement this change and ensure that all adult Medicaid members have access to COVID-19 vaccinations. The department shall have the authority to implement such changes effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such changes.

2. By August 1, 2021, DMAS shall develop a report that details all COVID-19 vaccination costs incurred in FY 2021 and a projection of FY 2022 costs. This report shall include, at a minimum, a breakdown of spending by purpose and fund as well as the impact on managed care capitated payments. DMAS shall provide this report to the Director, Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees upon completion.

YYYYY. The Department of Medical Assistance Services shall amend the Medicaid and CHIP State Plans to authorize prescriptions of contraceptives up to a 12 month supply for eligible beneficiaries in the Medicaid and CHIP programs. The department shall have the

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.</p>				
<p>ZZZZZ. The Department of Medical Assistance Services shall modify agency policy manuals to affirm coverage of services related to gender dysphoria for Medicaid members.</p>				
<p>AAAAAA. The Department shall amend the State Plan for Medical Assistance to allow payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.</p>				
<p>BBBBBB. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Title XIX of the Social Security Act to provide sick leave to providers of consumer-directed personal, respite or companion care.</p>				
<p>CCCCCC. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XIX of the Social Security Act to add coverage for the current procedural terminology (CPT) codes for Applied Behavioral Analysis that were added to the CPT list in January 2019, or any future updates to these CPT codes. The department shall have the authority to implement related programmatic changes to service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the Behavioral Therapy Program. The department shall have the authority to implement these changes effective December 1, 2021, and prior to completion of any regulatory process to effect such changes.</p>				
<p>DDDDDD. The Department of Medical Assistance Services, in coordination with the Department of Behavioral Health and Developmental Services, shall submit a request to the Centers for Medicare and Medicaid Services to amend its 1915(c) Home &amp; Community-Based Services (HCBS) waivers to allow telehealth and virtual and/or distance learning as a permanent service option and accommodation for individuals on the Community Living, Family and Individual Services and Building Independence Waivers. The amendment, at a minimum, shall include all services currently authorized for telehealth and virtual options during the COVID-19 pandemic. The departments shall actively work with the established Developmental Disability Waiver Advisory Committee and other appropriate stakeholders in the development of the amendment including service elements and rate methodologies. The department shall have the authority to implement these changes prior to the completion of the regulatory process.</p>				
<p>EEEEEE. The Department of Medical Assistance Services (DMAS) shall convene a workgroup and make recommendations on a Medicaid home-visiting benefit to support members' health, access to care and health equity. The workgroup shall include representatives from DMAS, Managed Care Organizations, the Virginia Department of Health, the Department of Health Professions, licensed and unlicensed providers of maternal and child health services, Early Impact Virginia, stakeholder groups, and community organizations. The workgroup shall: (i) analyze federal and state regulations and funding mechanisms impacting establishment of a Medicaid home visiting benefit; (ii) review home visiting strategies and benefits implemented in other state Medicaid programs; (iii) analyze and make recommendations on appropriate services and rates to be included in a Medicaid home visiting benefit; and (iv) project estimated costs over the next five years. The department shall report on the results and recommendations of the workgroup to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2021.</p>				
<p>FFFFFF. It is the intent of the General Assembly that from any additional federal funding that is provided to the Commonwealth to offset the economic impacts from COVID-19 that a portion of such funding shall be set aside and allocated to provide support payments to</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Medicaid Developmental Disability Waiver providers that have experienced a significant disruption in operations and revenue during the COVID-19 public health emergency (PHE). The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, the Virginia Network of Private Providers, the Virginia Association of Community Rehabilitation Programs (vaACCSES), representatives of different types of waiver providers, and other appropriate stakeholders shall develop criteria to determine the eligibility for and the amount of the support payments. The criteria shall prioritize providers that have received no other state or federal assistance to date during the PHE, other waiver providers that have received some limited assistance from state and federal sources, and waiver providers that are at risk of closing due to the PHE disruption and for which the Commonwealth needs to maintain an adequate provider network such that when the PHE emergency ends there are sufficient providers to meet the service needs of Medicaid members.</p>				
<p>GGGGGG. The Department of Medical Assistance Services shall defer the next scheduled nursing facility rate rebasing for one year in order to utilize the calendar year 2021 cost reports as the base year. The deferred year's rates would reflect the prior year rates inflated according to the existing reimbursement regulations. The department shall have the authority to implement these changes effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>HHHHHH. The Department of Medical Assistance Services shall analyze utilization of Transportation Network Company (TNC) Type II Non Emergency Medicaid Transportation (NEMT) providers by the Medicaid fee-for-service program and the department's contracted Medicaid managed care organizations. The department shall identify any barriers to patient access to TNC Type II NEMT services. In its review of barriers to accessing TNC Type II NEMT benefits, the department shall identify any gaps in TNC Type II service contracting between the department's contracted MCOs, or their transportation brokers and TNC Type II NEMT providers. Additionally, the department shall examine the eligible patient population for TNC Type II NEMT services to ensure all clinically indicated Medicaid beneficiaries are eligible for TNC Type II NEMT services. Further, the department shall examine the necessity of TNC Type II operating requirements and identify any extraneous service requirements limiting TNC Type II services. The department shall report its findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2021.</p>				
<p>IIIII.1. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance to adjust the formula for indirect medical education (IME) reimbursement for managed care discharges for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 by increasing the case mix adjustment factor to 2.718. This increased case mix index (CMI) factor shall take precedence over future rebasing. Total payments for IME in combination with other payments for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 may not exceed the federal uncompensated care cost limit that disproportionate share hospital payments are subject to. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.</p>				
<p>2. The Department of Medical Assistance Services shall work with the freestanding children's hospitals to assess the method used to determine the case mix adjustment factor and what factors may be influencing changes that result in significant funding shifts when rebasing occurs.</p>				
<p>JJJJJ. The Department of Medical Assistance Services, shall convene a work group to plan for implementing a pilot program to provide mobile vision clinic services to Medicaid, FAMIS and MCHIP children in a school-based setting. The work group shall be comprised of Medicaid managed care organizations, mobile vision providers, school districts with and without these services, the Virginia Department of Education and others as appropriate. The work group shall determine the scope and design of the pilot program, including (i) the referral process for initial and follow-up services (ii) who shall provide the services, (iii) how parents or legal guardians will be notified, (iv) the role of school districts and the Department of Education in screening and referring children to the</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

program, (iv) reimbursement rates for services that consider access, quality, and cost effectiveness of services provided, (v) detailed cost estimates of the pilot program, and (vi) a mechanism for evaluating the pilot program, The Department shall report on the recommendations of the workgroup by October 15, 2021 to the Governor and General Assembly.

KKKKKK. The Department of Medical Assistance Services (DMAS) shall research the implications of eliminating restrictive Medicaid eligibility requirements through a "1634 agreement" with the Social Security Administration (SSA) which will allow for automatic enrollment of Supplemental Security Income (SSI) recipients into Virginia's Medicaid program as categorically eligible individuals. DMAS shall report on its findings, including cost and programmatic changes that would be necessary to effect such changes by October 1, 2021 to the Governor and General Assembly.

LLLLLL. Notwithstanding the provisions of Item 479.10 of this Act, the Director of the Department of Planning and Budget shall have the authority to appropriate additional federal Medicaid revenue for current services as provided for in the American Rescue Plan Act of 2021 (ARPA). However, no expansion of Medicaid programs or services shall be implemented with ARPA funds unless specifically authorized by the General Assembly. Any state funds offset by this additional federal revenue shall remain unspent and shall be retained until expenditure of such funds is reauthorized and appropriated by the General Assembly.

MMMMMM. *The Department of Medical Assistance Services shall amend the state plans under Titles XIX and XXI of the Social Security Act, and any waivers thereof as necessary to remove co-payments for enrollees. Such change shall be effective April 1, 2022, or upon expiration of the federal public health emergency related to the Coronavirus Disease 2019 (COVID-19) pandemic, whichever is earlier. DMAS shall have the authority to implement this change prior to the completion of any regulatory process.*

NNNNNN. *The Department of Medical Assistance Services shall seek federal authority through a State Plan Amendment to exclude excess resources accumulated by individuals receiving Long-term supports and services (LTSS) during the federal Public Health Emergency (PHE) for a period of 12 months beginning at the end of the federal PHE, due to the inability to increase patient pay. The department shall have the authority to implement this exclusion prior to the completion of any regulatory process undertaken in order to effect such change.*

OOOOOO. *Freestanding children's hospitals with more than 50 percent Medicaid utilization in fiscal year 2009 shall not have to reimburse the Commonwealth of Virginia for the non-federal share of any refunds of disproportionate share hospitals (DSH) payments for the period of June 2, 2017 through June 30, 2020. This action is limited to refunds required under federal court decisions in connection to calculation of members with dual eligibility or third-party liability.*

PPPPPP.1. *The Secretary of Health and Human Resources shall establish a Task Force on Eligibility Redetermination to ensure that the Commonwealth redetermines eligibility for Medicaid in the most efficient and prudent manner possible to meet the unwinding requirement associated with the end of the federal Public Health Emergency and the provisions of the maintenance of eligibility requirement in Medicaid pursuant to the Families First Coronavirus Response Act (P.L. 166-127). The Task Force shall include representatives from the Department of Medical Assistance Services, the Department of Social Services, the Department of Planning and Budget, and staff from the House Appropriations and Senate Finance and Appropriations Committees. The Task Force shall: (i) assess the current status of the shift of eligibility for individuals to the appropriate aid category that was assumed in the November 2021 forecast; (ii) evaluate the current plan, including the timeline, of the Department of Medical Assistance Services and the local departments of social services to redetermine Medicaid eligibility in the most efficient manner after the expiration of the maintenance of eligibility requirements; (iii) assess the resources and operational capabilities of the agencies to handle the increased workload efficiently; and (iv) make recommendations as appropriate to improve the unwinding process until its conclusion.*

2. *At the direction of the Secretary of Health and Human Resources, the Department of Medical Assistance Services is authorized to utilize federal American Rescue Plan Act funds to help address operational challenges in addressing eligibility redeterminations for*

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>Medicaid that may include providing additional funds to support overtime costs at local departments of social services and/or issuing emergency contracts to hire contractors to assist in the efforts.</i>				
314.	Not set out.			
315.	Medical Assistance Services for Low Income Children (46600).....		\$216,174,386	<del>\$229,857,696</del> \$221,360,078
	Reimbursements for Medical Services Provided to Low-Income Children (46601).....		\$216,174,386	<del>\$229,857,696</del> \$221,360,078
	Fund Sources: General.....		\$57,242,911	<del>\$71,584,053</del> \$67,964,391
	Federal Trust.....		\$158,931,475	<del>\$158,273,643</del> \$153,395,687
Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.				
To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600) and Medicaid Program Services (45600), if available, into this Item to be used as state match for federal Title XXI funds.				
316.	Not set out.			
317.	Not set out.			
317.10	Not set out.			
	Total for Department of Medical Assistance Services.....		<b>\$17,072,684,492</b>	<del><b>\$18,580,300,482</b></del> <b>\$19,122,725,821</b>
	General Fund Positions.....		260.02	263.02
	Nongeneral Fund Positions.....		269.98	272.98
	Position Level.....		530.00	536.00
	Fund Sources: General.....		\$4,545,328,030	<del>\$5,552,084,073</del> \$4,649,993,559
	Special.....		\$2,810,000	\$3,829,800
	Dedicated Special Revenue.....		\$1,421,551,201	<del>\$1,485,854,349</del> \$1,575,402,380
	Federal Trust.....		\$11,102,995,261	<del>\$11,538,532,260</del> \$12,893,500,082

**§ 1-27. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)**

318.	Not set out.			
319.	Not set out.			
320.	Administrative and Support Services (49900).....		\$122,462,281	<del>\$114,854,911</del> \$115,766,786
	General Management and Direction (49901).....		\$21,016,747	\$21,016,747
	Information Technology Services (49902).....		\$43,783,399	<del>\$38,138,105</del> \$38,699,980
	Architectural and Engineering Services (49904).....		\$2,731,753	\$2,731,753
	Collection and Locator Services (49905).....		\$3,195,236	\$3,195,236
	Human Resources Services (49914).....		\$615,324	\$615,324
	Planning and Evaluation Services (49916).....		\$3,626	\$3,626

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Program Development and Coordination (49933).....	\$51,116,196	<del>\$49,154,120</del> \$49,504,120		
Fund Sources: General.....	\$63,970,461	<del>\$69,619,931</del> \$70,531,806		
Special.....	\$20,996,019	\$15,692,537		
Dedicated Special Revenue.....	\$8,200,000	\$0		
Federal Trust.....	\$29,295,801	\$29,542,443		

Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at the beginning of each fiscal year, establish the current capacity for each facility within the system. When a facility becomes full, the commissioner or his designee shall give notice of the fact to all sheriffs.

B. The Commissioner, Department of Behavioral Health and Developmental Services shall work in conjunction with community services boards to develop and implement a graduated plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings generated from statewide gains in system efficiencies.

C. Notwithstanding § 4-5.09 of this act and paragraph C of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured.

D. The Department of Behavioral Health and Developmental Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.

E. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with behavioral health treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.

F. Out of this appropriation, \$730,788 the first year and \$730,788 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

G. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services.

H.1. Out of this appropriation, \$554,975 the first year and \$554,975 the second year from the general fund shall be provided for clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment

2. Out of this appropriation, \$2,628,360 the first year and \$2,864,912 the second year from the general fund shall be provided for conditional release services, including treatment, and costs associated with contracting with Global Positioning System service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program but conditionally released as provided by the Department of Corrections, outlined in the Memorandum of Understanding between the two agencies and pursuant to §37.2-912 of the Code of Virginia.

I. Out of this appropriation, \$146,871 the first year and \$146,871 the second year from the

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

general fund shall be used to operate a real-time reporting system for public and private acute psychiatric beds in the Commonwealth.

J. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1 of each year for the preceding fiscal year that provides information on the operation of Virginia's publicly-funded behavioral health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or CSB services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year.

K. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be used for a comprehensive statewide suicide prevention program. The Commissioner of the Department of Behavioral Health and Developmental Services, in collaboration with the Departments of Health, Education, Veterans Services, Aging and Rehabilitative Services, and other partners shall develop and implement a statewide program of public education, evidence-based training, health and behavioral health provider capacity-building, and related suicide prevention activity.

3. The department shall convene quarterly meetings with authorized representatives, families, and service providers in Health Planning Regions I, II, III and IV to provide a mechanism to (i) promote routine collaboration between families and authorized representatives, the department, community services boards, and private providers; (ii) ensure the successful transition of training center residents to the community; and (iii) gather input on Medicaid waiver redesign to better serve individuals with intellectual and developmental disability.

4. In the event that provider capacity cannot meet the needs of individuals transitioning from training centers to the community, the department shall work with community services boards and private providers to explore the feasibility of developing (i) a limited number of small community group homes or intermediate care facilities to meet the needs of residents transitioning to the community, and/or (ii) a regional support center to provide specialty services to individuals with intellectual and developmental disabilities whose medical, dental, rehabilitative or other special needs cannot be met by community providers. The Commissioner shall report on these efforts to the House Appropriations and Senate Finance Committees as part of the quarterly report, pursuant to paragraph L.1.

M. The Department of Behavioral Health and Developmental Services in collaboration with the Department of Medical Assistance Services shall provide a detailed report for each fiscal year on the budget, expenditures, and number of recipients for each specific intellectual disability (ID) and developmental disability (DD) service provided through the Medicaid program or other programs in the Department of Behavioral Health and Developmental Services. This report shall also include the overall budget and expenditures for the ID, DD and Day Support waivers separately. The Department of Medical Assistance Services shall provide the necessary information to the Department of Behavioral Health and Developmental Services 90 days after the end of each fiscal year. This information shall be published on the Department of Behavioral Health and Developmental Services' website within 120 days after the end of each fiscal year.

N. Effective July 1, 2015, the Department of Behavioral Health and Developmental Services shall not charge any fee to Community Services Boards or private providers for use of the knowledge center, an on-line training system.

O. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund shall be used to provide mental health first aid training and certification to recognize and respond to mental or emotional distress. Funding shall be used to cover the cost of personnel dedicated to this activity, training, manuals, and certification for all those receiving the training.

P. Out of this appropriation, \$752,170 the first year and \$752,170 the second year from the

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

general fund is provided to establish community support teams responsible for the development and oversight of a continuum of integrated community settings for individuals leaving state hospitals.

Q. The Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services shall recognize Certified Employment Support Professional (CESP) and Association of Community Rehabilitation Educators (ACRE) certifications in lieu of competency requirements for supported employment staff in the developmental disability Medicaid waiver programs to allow providers that are Department of Aging and Rehabilitative Services (DARS) vendors that hold a national three-year accreditation from the National Council on Accreditation of Rehabilitation Facilities (CARF) to be deemed qualified to meet employment competency requirements.

R. The Department of General Services, in cooperation with the Department of Behavioral Health and Developmental Services, shall work with James City County to identify a minimum of 10 acres on the Eastern State Hospital site for the location of a new facility for Colonial Behavioral Health, which may or may not include a joint facility with Olde Towne Medical Center. The subject acres shall be transferred to James City County upon such terms and conditions as may be agreed to by the parties.

S.1. The Department of Behavioral Health and Developmental Services for each fiscal year shall report the number of waiver slots, by waiver, that becomes available for reallocation during the year. In addition, the department shall report on the allocation of emergency waiver slots and reserve slots, which shall include how many slots were allocated in the year and for which waiver. The information on reserve slots shall indicate for which waiver the reserve slot was used and the waiver from which the individual moved that was granted the slot. Furthermore, the report shall show the allocations by each Community Services Board from new waiver slots, emergency slots and reserve slots for the year. The department shall submit this report for the prior fiscal year, ending June 30, by September 1 of each year.

2. The department shall report within 30 days after the close of each quarter, the number of new slots for the fiscal year that have been allocated by Community Services and of those how many are accessing services. The report shall be provided on the department's website.

T.1. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund is provided for compensation to individuals who were involuntarily sterilized pursuant to the Virginia Eugenic Sterilization Act and who were living as of February 1, 2015. Any funds that are appropriated but remain unspent at the end of the fiscal year shall be carried forward into the subsequent fiscal year in order to provide compensation to individuals who qualify for compensation.

2. A claim may be submitted on behalf of an individual by a person lawfully authorized to act on the individual's behalf. A claim may be submitted by the estate of or personal representative of an individual who died on or after February 1, 2015.

3. Reimbursement shall be contingent on the individual or their representative providing appropriate documentation and information to certify the claim under guidelines established by the department.

4. Reimbursement per verified claim shall be \$25,000 and shall be contingent on funding being available, with disbursements being prioritized based on the date at which sufficient documentation is provided.

5. Should the funding provided in the paragraph be exhausted prior to the end of the fiscal year, the department may use available special fund revenue balances to provide compensation. The department shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on a quarterly basis on the number of additional individuals who have applied.

U. The Department of Behavioral Health and Development Services and the Department of Medical Assistance Services shall not implement the proposed individualized supports budget process for the Medicaid Community Living, Family and Individual Support and Building Independence Waiver programs without the explicit authorization of the General Assembly through legislation or authorizing budget language.



ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
V. The Department of Behavioral Health and Developmental Services shall report on the allocation and funding for Programs of Assertive Community Treatment (PACT) in the Commonwealth. The report shall include information on the cost of each team, the cost per individual served and the cost effectiveness of each PACT in diverting individuals from state and local hospitalization and stabilizing individuals in the community. The department shall provide the report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, of each year.				
W. The Department of Behavioral Health and Developmental Services shall work with the Fairfax-Falls Church Community Services Board, and the provider, to ensure that future openings for the Miller House in Falls Church allow residents of Falls Church, that have been allocated a developmental disability waiver slot, be given first choice in the Miller House, if the group home is appropriate to meet their needs. In addition, the department shall work with the Community Services Board and the City of Falls Church to explore options for establishing a special allocation within the Community Services Board allocation of waiver slots for Falls Church residents who are on the Priority One waiting list and could live in the Miller House when future openings occur in the group home.				
X. The Department of Behavioral Health and Developmental Services shall lease 25 acres of land at Eastern State Hospital to Hope Family Village Corporation for one dollar for the development of a village of residence and common areas to create a culture of self-care and neighborly support for families and their loved ones impacted by serious mental illness. The department shall work with the Hope Family Village Corporation to identify a 25 acre plot of land that is suitable for the project.				
Y. The Department of Behavioral Health and Developmental Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15, of each year.				
Z.1. A joint subcommittee of the House Appropriations and Senate Finance Committees, in collaboration with the Secretary of Health and Human Resources and the Department of Behavioral Health and Developmental Services, shall continue to monitor and review the status of the closure of Central Virginia Training Center. As part of this review process the joint subcommittee may evaluate options for those individuals in any remaining training centers with the most intensive medical and behavioral needs to determine the appropriate types of facility or residential settings necessary to ensure the care and safety of those residents is appropriately factored into the overall plan to transition to a more community-based system. In addition, the joint subcommittee may review any plans for the redesign of the Intellectual Disability, Developmental Disability and Day Support Waivers.				
2. To assist the joint subcommittee, the Department of Behavioral Health and Developmental Services shall provide a quarterly accounting of the costs to operate and maintain any remaining training centers at a level of detail as determined by the joint subcommittee. The quarterly reports for the first, second and third quarter shall be due to the joint subcommittee 20 days after the close of the quarter. The fourth quarter report shall be due on August 15 of each year.				
AA. Notwithstanding the provisions of the Acts of Assembly, Chapter 610, of the 2019 Session or any other provision of law, the Department of General Services is hereby authorized to sell, pursuant to § 2.2-1156, certain real property in Carroll County outside the town of Hillsville on which the former Southwestern Virginia Training Center was situated, subject to the following conditions: (1) the sale price shall be, at a minimum, an amount sufficient to fully cover any debt or other financial obligations currently on the property; (2) the purchaser shall be responsible for all transactional expenses associated with the transfer of the property; and (3) the sale shall be made to a health care company that agrees to use the property for the provision of health care services for a minimum of five years established through a deed restriction.				
BB. Included in this item is \$150,000 the first year and \$150,000 the second year from the general fund to support substance abuse treatment utilizing appropriate, long-acting,				

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

injectable prescription drug treatment regimens ("treatment") used in conjunction with drug treatment court programs. Such treatment may be utilized in approved drug treatment court programs. In allocating such funding, the department shall consider the rate of fatalities within the locality, whether a drug treatment court program is available and whether such program utilizes medication-assisted treatment. The drug treatment court programs utilizing this funding shall use these resources to support provider fees, counseling and patient monitoring for participants, and medication to participants in which the costs of treatment services would not otherwise be covered. The Department of Behavioral Health and Developmental Services shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1 of each year for the preceding fiscal year that provides information on the number of participants, the number of drug courts that utilized the funding and the number of treatments administered. Any adult drug treatment court that accesses this funding shall provide all necessary information to the Department of Behavioral Health and Developmental Services to prepare this report.

CC.1. Out of this appropriation, \$3,750,000 the first year and \$7,500,000 the second year from the general fund is provided for the Department of Behavioral Health and Developmental Services (DBHDS) to pursue alternative inpatient options to state behavioral health hospital care or to increase capacity in the community for patients on the Extraordinary Barriers List through the establishment of two-year pilot projects that will reduce census pressures on state hospitals. Proposals shall be evaluated on: (i) the expected impact on state hospital bed use, including the impact on the extraordinary barrier list; (ii) the speed by which the project can become operational; (iii) the start-up and ongoing costs of the project; (iv) the sustainability of the project without the use of ongoing general funds; (v) the alignment between the project target population and the population currently being admitted to state hospitals; and (vi) the applicant's history of success in meeting the needs of the target population. No project shall be allocated more than \$2.5 million each year. Projects may include public-private partnerships, to include contracts with private entities. The department shall give preference to projects that serve individuals who would otherwise be admitted to a state hospital operated by DBHDS, that can be rapidly implemented, and provide the best long-term outcomes for patients. Consideration may be given to regional projects addressing comprehensive psychiatric emergency services, complex medical and neuro-developmental needs of children and adolescents receiving inpatient behavioral health services, and addressing complex medical needs of adults receiving inpatient behavioral health services. Any unexpended balance in this appropriation on June 30, 2021, shall be reappropriated for this purpose in the next fiscal year to fund project costs.

2. The department shall report quarterly on projects awarded with details on each project and its projected impact on the state behavioral health hospital census. The report shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than 30 days after each quarter ends.

3. Notwithstanding any other provision of law, the contracts DBHDS enters into pursuant to paragraph AA.1. shall be exempt from competition as otherwise required by the Virginia Public Procurement Act (§§ 2.2-4300 through 2.2-4377, Code of Virginia).

DD. The Department of Behavioral Health and Developmental Services, in collaboration with the Department of General Services, shall establish a workgroup to inventory the department's vacant and surplus properties and buildings and develop a plan for the potential disposition of those properties. The plan shall include various cost options for the demolition of buildings, environmental remediation, options to fund bond defeasance costs, or other costs necessary to prepare the property to be sold or utilized for a different purpose. The workgroup shall initially focus on the Central Virginia Training Center in Madison Heights, vacant buildings at the Southwestern Virginia Mental Health Institute in Marion, and the previous Southern Virginia Training Center in Petersburg. The department shall submit the plan by November 15, 2020 to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

EE. The Department of Behavioral Health and Developmental Services shall conduct a review of the Commonwealth's Sexually Violent Predator Program to examine programmatic and community options that could reduce the number of individuals that are committed to the Virginia Center for Behavioral Health. The department shall report on these options to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
October 1, 2020.				
FF. The Department of Behavioral Health and Developmental Services shall develop a plan to convert Crisis Intervention Team Assessment Centers (CITACs) to 24-hour, seven-day operations and moving toward regional CITAC sites. This plan shall include the costs and recommended areas of the Commonwealth for at least three assessment centers in fiscal year 2022. The department shall submit the plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020.				
GG. The Department of Behavioral Health and Developmental Services is authorized to collaborate with the Children's Hospital of the King's Daughters (CHKD) to develop a memorandum of understanding (MOU) for dedicating a portion of the future bed capacity of a 60-bed mental health hospital at CHKD for use in providing treatment services to children or adolescents that may otherwise be admitted to the Commonwealth Center for Children and Adolescents (CCCA). The MOU should detail the priority populations that would be best served at CHKD and that assists the Commonwealth in reducing census pressure on CCCA. As part of the MOU the department and CHKD shall develop an estimated financial contribution for the potential benefit of such an arrangement to the Commonwealth. The department shall report on the details of the MOU to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2020.				
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.				
II. The Department of Behavioral Health and Developmental Services shall continue the Temporary Detention Order Evaluator Workgroup established pursuant to Chapters 918 and 919 of the 2020 Acts of Assembly. The workgroup shall report its implementation plan to the Governor, and Chairs of the House Health, Welfare, and Institutions Committee, the Senate Education and Health Committee, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2021.				
JJ. The Department of Behavioral Health and Developmental Services shall establish a workgroup to review the current processes and barriers to sharing relevant patient information between community hospitals and Community Services Boards for shared patients subject to an Emergency Custody Order and under evaluation for a Temporary Detention Order. The department shall report its findings and recommendations to the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2021.				
KK. The Department of Behavioral Health and Developmental Services shall preserve historic microfiche records at Central State Hospital and work with interested partners to digitize such records to be added to the Central State Hospital Digital Library and Archives Project in order to make such information publicly available to researchers or other interested parties.				
LL. The Department of Behavioral Health and Developmental Services, in collaboration with the Virginia Treatment Center for Children (VTCC), shall examine and develop strategies to better utilize VTCC in assisting with relief for the census pressures on the Commonwealth Center for Children and Adolescents (CCCA). The strategies to be examined shall include, but are not limited to: (i) diversion strategies when CCCA is near capacity; (ii) increasing the number of Temporary Detention Order admissions; and (iii) operating as a step-down facility from CCCA. The department shall report its finding and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by November 1, 2021.				
MM. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Medical Assistance Services, the Medicaid managed care organizations, and the Community Services Boards/Behavioral Health Authority, shall report on current efforts to provide early psychosis intervention and coordinated specialty				

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>care for children, adolescents and young adults in need of services. The report shall include a summary of current services, funding and programmatic issues to address treatment and care of this population, as well as planned efforts and recommendations to expand and improve care for this population. The report shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by November 15, 2021.</p> <p>NN.1. The Department of Behavioral Health and Developmental Services (DBHDS), in coordination with the Department of Medical Assistance Services (DMAS), shall convene a workgroup with the established DBHDS Provider Issue Resolution Workgroup, VNPP, VaACCSES, VACSB, the Arc of Virginia, Community Services Boards, representatives of waiver recipients, representatives of individuals on the waiting list for a developmental disability (DD) waiver and other appropriate stakeholders to review issues with existing rates and rate methodologies for DD waiver services and make recommendations on needed changes. The department is authorized to use existing resources to contract with a vendor to conduct any additional analysis that may be useful in analyzing specific issues being considered by the workgroup. The workgroup shall specifically evaluate the rates for the Supported Living Residential waiver service to ensure appropriate utilization of that service. Any findings or recommendations shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021.</p> <p>2. The workgroup shall conduct an analysis of current Medicaid Developmental Disability (DD) waiver waitlists and develop plans for reducing the waitlist for individuals to access DD waiver services. The plan, along with projected costs, shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021.</p>				
321.	Not set out.			
321.10	Not set out.			
	Total for Department of Behavioral Health and Developmental Services.....		<b>\$171,782,630</b>	<b>\$181,185,667</b> <b>\$182,097,542</b>
	General Fund Positions.....	475.50	482.50	
	Nongeneral Fund Positions.....	31.75	31.75	
	Position Level.....	507.25	514.25	
	Fund Sources: General.....	\$109,721,284	\$135,030,522 \$135,942,397	
	Special.....	\$21,152,603	\$15,849,121	
	Dedicated Special Revenue.....	\$11,200,000	\$0	
	Federal Trust.....	\$29,708,743	\$30,306,024	
	<b>Grants to Localities (790)</b>			
322.	Financial Assistance for Health Services (44500).....		\$513,713,787	\$556,815,857 \$558,815,857
	Community Substance Abuse Services (44501).....	\$122,527,688	\$122,527,688	
	Community Mental Health Services (44506).....	\$292,129,083	\$332,606,513 \$334,606,513	
	Community Developmental Disability Services (44507).....	\$99,057,016	\$101,681,656	
	Fund Sources: General.....	\$419,913,787	\$466,815,857 \$468,815,857	
	Dedicated Special Revenue.....	\$3,800,000	\$0	
	Federal Trust.....	\$90,000,000	\$90,000,000	

Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.

A. It is the intent of the General Assembly that community mental health, intellectual

ITEM 322.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>disability and substance abuse services are to be improved throughout the state. Funds provided in this Item shall not be used to supplant the funding effort provided by localities for services existing as of June 30, 1996.</p>				
<p>B. Further, it is the intent of the General Assembly that funds appropriated for this Item may be used by Community Services Boards to purchase, develop, lease, or otherwise obtain, in accordance with §§ 37.2-504 and 37.2-605, Code of Virginia, real property necessary to the provision of residential services funded by this Item.</p>				
<p>C. Out of the appropriation for this Item, funds are provided to Community Services Boards in an amount sufficient to reimburse the Virginia Housing Development Authority for principal and interest payments on residential projects for the mentally disabled financed by the Housing Authority.</p>				
<p>D. The Department of Behavioral Health and Developmental Services shall make payments to the Community Services Boards from this Item in twenty-four equal semimonthly installments, except for necessary budget revisions or the operational phase-in of new programs.</p>				
<p>E. Failure of a board to participate in Medicaid covered services and to meet all requirements for provider participation shall result in the termination of a like amount of state grant support.</p>				
<p>F. Community Services Boards may establish a line of credit loan for up to three months' operating expenses to assure adequate cash flow.</p>				
<p>G. Out of this appropriation \$190,000 the first year and \$190,000 the second year from the general fund shall be provided to Virginia Commonwealth University for the continued operation and expansion of the Virginia Autism Resource Center.</p>				
<p>H.1. Out of this appropriation, \$22,306,813 the first year and \$23,656,453 the second year from the general fund shall be provided for Virginia's Part C Early Intervention System for infants and toddlers with disabilities.</p>				
<p>2. By November 15 of each year, the department shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the (a) total revenues used to support Part C services, (b) total expenses for all Part C services, (c) total number of infants, toddlers and families served using all Part C revenues, and (d) services provided to those infants, toddlers, and families.</p>				
<p>I. Out of this appropriation \$6,148,128 the first year and \$6,148,128 the second year from the general fund shall be provided for mental health services for children and adolescents with serious emotional disturbances and related disorders, with priority placed on those children who, absent services, are at-risk for custody relinquishment, as determined by the Family and Assessment Planning Team of the locality. The Department of Behavioral Health and Developmental Services shall provide these funds to Community Services Boards through the annual Performance Contract. These funds shall be used exclusively for children and adolescents, not mandated for services under the Comprehensive Services Act for At-Risk Youth, who are identified and assessed through the Family and Assessment Planning Teams and approved by the Community Policy and Management Teams of the localities. The department shall provide these funds to the Community Services Boards based on an individualized plan of care methodology.</p>				
<p>J. The Commissioner, Department of Behavioral Health and Developmental Services shall allocate \$1,000,000 the first year and \$1,000,000 the second year from the federal Community Mental Health Services Block Grant for two specialized geriatric mental health services programs. One program shall be located in Health Planning Region II and one shall be located in Health Planning Region V. The programs shall serve elderly populations with mental illness who are transitioning from state mental health geriatric units to the community or who are at risk of admission to state mental health geriatric units. The commissioner is authorized to reduce the allocation in each year in an amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.</p>				
<p>K. The Commissioner, Department of Behavioral Health and Developmental Services</p>				

ITEM 322.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	shall allocate \$750,000 the first year and \$750,000 the second year from the federal Community Mental Health Services Block Grant for consumer-directed programs offering specialized mental health services that promote wellness, recovery and improved self-management. The commissioner is authorized to reduce the allocation in each year in an amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.			
	L. Out of this appropriation, \$2,197,050 the first year and \$2,197,050 the second year from the general fund shall be used for jail diversion and reentry services. Funds shall be distributed to community-based contractors based on need and community preparedness as determined by the commissioner.			
	M. Out of this appropriation, \$2,400,000 the first year and \$2,400,000 the second year from the general fund shall be used for treatment and support services for substance use disorders, including individuals with acquired brain injury and co-occurring substance use disorders. Funded services shall focus on recovery models and the use of best practices.			
	N. Out of this appropriation, \$2,780,645 the first year and \$2,780,645 the second year from the general fund shall be used to provide outpatient clinician services to children with mental health needs. Each Community Services Board shall receive funding as determined by the commissioner to increase the availability of specialized mental health services for children. The department shall require that each Community Services Board receiving these funds agree to cooperate with Court Service Units in their catchment areas to provide services to mandated and nonmandated children, in their communities, who have been brought before Juvenile and Domestic Relations Courts and for whom treatment services are needed to reduce the risk these children pose to themselves and their communities or who have been referred for services through family assessment and planning teams through the Comprehensive Services Act for At-Risk Youth and Families.			
	O. Out of this appropriation, \$17,701,997 the first year and \$17,701,997 the second year from the general fund shall be used to provide emergency services, crisis stabilization services, case management, and inpatient and outpatient mental health services for individuals who are in need of emergency mental health services or who meet the criteria for mental health treatment set forth pursuant to §§ 19.2-169.6, 19.2-176, 19.2-177.1, 37.2-808, 37.2-809, 37.2-813, 37.2-815, 37.2-816, 37.2-817 and 53.1-40.2 of the Code of Virginia. Funding provided in this item also shall be used to offset the fiscal impact of (i) establishing and providing mandatory outpatient treatment, pursuant to House Bill 499 and Senate Bill 246, 2008 Session of General Assembly; and (ii) attendance at involuntary commitment hearings by community services board staff who have completed the prescreening report, pursuant to §§ 19.2-169.6, 19.2-176, 19.2-177.1, 37.2-808, 37.2-809, 37.2-813, 37.2-815, 37.2-816, 37.2-817 and 53.1-40.2 of the Code of Virginia.			
	P. Out of this appropriation, \$10,475,000 the first year and \$10,475,000 the second year from the general fund shall be used to provide community crisis intervention services in each region for individuals with intellectual or developmental disabilities and co-occurring mental health or behavioral disorders.			
	Q. Out of this appropriation, \$1,900,000 the first year and \$1,900,000 the second year from the general fund shall be used for community-based services in Health Planning Region V. These funds shall be used for services intended to delay or deter placement, or provide discharge assistance for patients in a state mental health facility.			
	R. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the general fund shall be used for crisis stabilization and related services statewide intended to delay or deter placement in a state mental health facility.			
	S. Out of this appropriation, \$8,400,000 the first year and \$8,400,000 the second year from the general fund shall be used to provide child psychiatry and children's crisis response services for children with mental health and behavioral disorders. These funds, divided among the health planning regions based on the current availability of the services, shall be used to hire or contract with child psychiatrists who can provide direct clinical services, including crisis response services, as well as training and consultation with other children's health care providers in the health planning region such as general practitioners, pediatricians, nurse practitioners, and community service boards staff, to increase their expertise in the prevention,			

ITEM 322.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>diagnosis, and treatment of children with mental health disorders. Funds may also be used to create new or enhance existing community-based crisis response services in a health planning region, including mobile crisis teams and crisis stabilization services, with the goal of diverting children from inpatient psychiatric hospitalization to less restrictive services in or near their communities. The Department of Behavioral Health and Developmental Services shall include details on the use of these funds in its annual report on the System Transformation, Excellence and Performance in Virginia (STEP-VA) process.</p>				
<p>T.1. Out of this appropriation, \$10,500,000 the first year and \$10,500,000 the second year from the general fund shall be used for up to 32 drop-off centers to provide an alternative to incarceration for people with serious mental illness and individuals with acquired brain injury and co-occurring serious mental health illness. Priority for new funding shall be given to programs that have implemented Crisis Intervention Teams pursuant to § 9.1-102 and § 9.1-187 et seq. of the Code of Virginia and have undergone planning to implement drop-off centers.</p>				
<p>2. Out of this appropriation, \$1,800,000 the first year and \$1,800,000 the second year from the general fund is provided for Crisis Intervention assessment centers in six unserved rural communities.</p>				
<p>3. Out of this appropriation, \$657,648 the first year and \$657,648 the second year from the general fund is provided to support CIT initiatives, including basic and advanced CIT training and law enforcement diversion, through one-time awards for advanced concepts in CIT Assessment Site programs. The department shall prioritize programs serving rural communities when determining the distribution of these funds.</p>				
<p>U. Out of this appropriation, \$2,750,000 the first year and \$2,750,000 the second year from the general fund shall be for crisis services for children with intellectual or developmental disabilities.</p>				
<p>V. Out of this appropriation, \$35,500,441 the first year and \$35,500,411 the second year from the general fund shall be used to provide community-based services or acute inpatient services in a private facility to individuals residing in state hospitals who have been determined clinically ready for discharge, and for continued services for those individuals currently being served under a discharge assistance plan. Of this appropriation, \$1,305,000 the first year and \$1,305,000 the second year shall be allocated for individuals currently or previously residing at Western State Hospital.</p>				
<p>W. Out of this appropriation, \$620,000 the first year and \$620,000 the second year from the general fund shall be used for telepsychiatry and telemedicine services.</p>				
<p>X. Out of this appropriation, \$4,000,000 the first year and \$4,000,000 the second year from the general fund shall be used for community-based mental health outpatient services for youth and young adults.</p>				
<p>Y. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be used to increase mental health inpatient treatment purchased in community hospitals. Priority shall be given to regions that exhaust available resources before the end of the year in order to ensure treatment is provided in the community and do not result in more restrictive placements.</p>				
<p>Z.1. Out of this appropriation, \$20,083,710 the first year and \$34,038,710 the second year from the general fund is provided for programs for permanent supportive housing for individuals with serious mental illness.</p>				
<p>2. The Department of Behavioral Health and Developmental Services shall report on the number of individuals who are discharged from state behavioral health hospitals who receive supportive housing services, the number of individuals who are on the hospitals' extraordinary barrier list who could receive supportive housing services, and the number of individuals in the community who receive supportive housing services and whether they are at risk of institutionalization. In addition, the department shall report on the average length of stay in permanent supportive housing for individuals receiving such services and report how the funding is reinvested when individuals discontinue receiving such services. The report shall be provided to the Chairmen of the House Appropriations</p>				





ITEM 322.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>general fund is provided to the Fairfax-Falls Church Community Services Board to fully fund its Program of Assertive Community Treatment (PACT) Team.</p>				
<p>MM.1. Out of this appropriation, \$43,035,651 the first year and \$73,222,045 the second year from the general fund is provided for services by Community Services Boards and Behavioral Health Authorities pursuant to the System Transformation, Excellence and Performance in Virginia (STEP-VA) process and Chapters 607 and 683, 2017 Acts of Assembly.</p>				
<p>2. Of the amounts in MM.1., \$10,795,651 the first year and \$10,795,651 the second year from the general fund is provided for same day access to mental health screening services.</p>				
<p>3. Of the amounts in MM.1., \$7,440,000 the first year and \$7,440,000 the second year from the general fund is provided for primary care outpatient screening services.</p>				
<p>4. Of the amounts in MM.1., \$15,000,000 the first year and \$21,924,980 the second year from the general fund is provided for outpatient mental health and substance use services.</p>				
<p>5. Out of the amounts in MM.1., \$2,000,000 the first year and \$2,000,000 the second year from the general fund is provided for crisis detoxification services.</p>				
<p>6. Out of the amounts in MM.1., \$7,800,000 the first year and \$13,954,924 the second year from the general fund is provided for crisis services for individuals with mental health or substance use disorders.</p>				
<p>7. Out of the amounts in MM.1., \$3,840,490 the second year from the general fund is provided for military and veterans services.</p>				
<p>8. Out of the amounts in MM.1., \$5,334,000 the second year from the general fund is provided for peer support and family services.</p>				
<p>9. Out of the amounts in MM.1., and \$3,200,000 the second year from the general fund is provided for the ancillary costs of expanding services at Community Services Boards and Behavioral Health Authorities.</p>				
<p>10. Out of the amounts in MM.1., \$4,732,000 the second year from the general fund is provided for the costs of crisis call center dispatch staff.</p>				
<p>11. Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, effective July 1, 2021, the core of services provided by Community Services Boards and Behavioral Health Authorities within cities and counties that they serve shall include, in addition to those set forth in subdivisions B 1, 2, and 3 of § 37.2-500 of the Code of Virginia and subdivisions C 1, 2, and 3 of § 37.2-601 of the Code of Virginia, (i) outpatient mental health and substance abuse services, (ii) peer support and family support services, and (iii) mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility. In addition, Community Services Boards and Behavioral Health Authorities shall continue to expand the availability of crisis services for individuals with mental health or substance use disorders, as funded in MM.6. of this Item and Items 313 and 320 of this Act. Psychiatric rehabilitation, care coordination, and case management services shall not be required services but may be provided subject to available funding.</p>				
<p>OO. 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.</p>				
<p>PP. The Department of Behavioral Health and Developmental Services is authorized to collaborate with the Chesapeake Regional Healthcare to develop a memorandum of understanding (MOU) for dedicating a portion of the future bed capacity of a 20-bed psychiatric unit at the hospital for use in providing treatment services to individuals that may otherwise be admitted to a state behavioral health hospital. The MOU should detail</p>				

ITEM 322.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>the priority populations that would be best served at Chesapeake Regional Healthcare and that assists the Commonwealth in reducing census pressure on state behavioral health hospitals. As part of the MOU the department and Chesapeake Regional Healthcare shall develop an estimated financial contribution for the potential benefit of such an arrangement to the Commonwealth. The department shall report on the details of the MOU to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021.</p>				
322.10	Not set out.			
	Total for Grants to Localities.....		<b>\$513,713,787</b>	<b>\$556,815,857</b> <del>\$558,815,857</del>
	Fund Sources: General.....	\$419,913,787	<del>\$466,815,857</del> \$468,815,857	
	Dedicated Special Revenue.....	\$3,800,000	\$0	
	Federal Trust.....	\$90,000,000	\$90,000,000	

**Mental Health Treatment Centers (792)**

323.	Not set out.			
324.	Not set out.			
325.	Pharmacy Services (42100).....		\$21,474,408	<del>\$21,474,408</del> \$22,016,194
	Inpatient Pharmacy Services (42102).....	\$21,474,408	<del>\$21,474,408</del> \$22,016,194	
	Fund Sources: General.....	\$9,043,318	<del>\$9,043,318</del> \$9,585,104	
	Special.....	\$12,431,090	\$12,431,090	
	Authority: Title 37.2, Chapter 8, Code of Virginia.			
326.	State Health Services (43000).....		\$285,852,185	<del>\$283,280,002</del> \$296,538,302
	Geriatric Care Services (43006).....	\$50,166,890	\$50,166,890	
	Inpatient Medical Services (43007).....	\$18,344,732	\$18,344,732	
	State Mental Health Facility Services (43014).....	\$217,340,563	<del>\$214,768,380</del> \$228,026,680	
	Fund Sources: General.....	\$254,897,946	<del>\$257,325,763</del> \$270,584,063	
	Special.....	\$30,954,239	\$25,954,239	

Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.

A. Out of this appropriation, \$700,000 the first year and \$700,000 the second year from the general fund shall be used to continue operating up to 13 beds at Northern Virginia Mental Health Institute (NVMHI) that had been scheduled for closure in fiscal year 2013. The Commissioner of the Department of Behavioral Health and Developmental Services shall ensure continued operation of at least 123 beds.

B. The Department of Behavioral Health and Developmental Services shall report by November 1 of each year to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the number of individuals served through discharge assistance plans and the types of services provided.

C. Out of this appropriation, \$850,000 the first year and \$850,000 the second year from the general fund shall be used to provide transition services in alternate settings for children and adolescents who can be diverted or discharged from state facilities.

D. Out of this appropriation, \$5,000,000 the first year from special funds is provided for the temporary operation of beds at Catawba Hospital until such time as the additional beds are no

ITEM 326.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

longer needed.

E. Out of this appropriation, \$2,142,601 the first year and \$4,282,202 the second year from nongeneral funds is provided for the surveillance and testing costs of residents and staff in order to avoid and manage COVID-19 outbreaks at state facilities. The department shall coordinate with the Virginia Department of Health (VDH) and local health districts as appropriate to coordinate its testing and surveillance activities in order to access federal ELC Enhancing Detection Expansion grant funding provided to VDH through the Centers for Disease Control. The Department of Behavioral Health and Developmental Services shall report quarterly to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the expense of these funds, including the number of tests administered.

F. Out of this appropriation, \$9,015,174 the second year from the general fund is provided for temporary staffing contracts in state facilities. The Department of Behavioral Health and Developmental Services shall report by June 30, 2022, to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the total expenditure of these funds, and any other funds used for staffing contracts in the second year.

327.	Facility Administrative and Support Services (49800).....			\$115,728,691	\$115,558,717 \$120,728,717
	General Management and Direction (49801).....	\$51,411,557	<del>\$51,411,557</del> \$56,581,557		
	Information Technology Services (49802).....	\$10,511,763	\$10,341,789		
	Food and Dietary Services (49807).....	\$14,355,702	\$14,355,702		
	Housekeeping Services (49808).....	\$8,777,438	\$8,777,438		
	Linen and Laundry Services (49809).....	\$1,701,815	\$1,701,815		
	Physical Plant Services (49815).....	\$21,940,717	\$21,940,717		
	Power Plant Operation (49817).....	\$4,236,837	\$4,236,837		
	Training and Education Services (49825).....	\$2,792,862	\$2,792,862		
	Fund Sources: General.....	\$100,571,337	<del>\$100,401,363</del> \$105,571,363		
	Special.....	\$15,093,854	\$15,093,854		
	Federal Trust.....	\$63,500	\$63,500		

Authority: § 37.2-304, Code of Virginia.

A. Out of this appropriation, \$759,000 the first year and \$759,000 the second year from the general fund shall be used to ensure proper billing and maximum reimbursement for prescription drugs purchased by mental health treatment centers through the Medicare Part D drug program.

B. Notwithstanding § 37.2-319 of the Code of Virginia, the Commissioner shall prepare a plan to address the capital and programmatic needs of other state mental health facilities and state mental retardation training centers when considering expenditures from the trust fund. No less than 30 days prior to the expenditure of funds, the Commissioner shall present an expenditure plan to the Chairmen of the Senate Finance and House Appropriations Committees for their review and consideration.

C. Out of this appropriation, \$5,170,000 the second year from the general fund is provided for the costs associated with providing an emergency kitchen and temporary office space at Eastern State Hospital. These funds shall remain unallotted until expenditures are approved by the Director, Department of Planning and Budget. The Department of Behavioral Health and Developmental Services shall seek reimbursement through the state's risk management program, or any other applicable insurance, for any covered expenses. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2022 shall not revert to the general fund but shall be carried forward and reappropriated.

328. Not set out.

ITEM 328.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
328.10	Not set out.			
	Total for Mental Health Treatment Centers.....		\$446,790,367	<del>\$444,048,210</del> \$463,018,296
	General Fund Positions.....		4,260.00	4,260.00
	Nongeneral Fund Positions.....		613.00	613.00
	Position Level.....		4,873.00	4,873.00
	Fund Sources: General.....		\$387,661,399	<del>\$389,919,242</del> \$408,889,328
	Special.....		\$58,928,968	\$53,928,968
	Federal Trust.....		\$200,000	\$200,000
329.	Not set out.			
330.	Not set out.			
331.	Not set out.			
332.	Not set out.			
333.	Not set out.			
334.	Not set out.			
335.	Not set out.			
336.	Not set out.			
337.	Not set out.			
338.	Not set out.			
338.10	Not set out.			
	Grand Total for Department of Behavioral Health and Developmental Services.....		\$1,258,843,183	<del>\$1,291,611,775</del> \$1,313,493,736
	General Fund Positions.....		5,635.00	5,735.00
	Nongeneral Fund Positions.....		1,247.75	1,247.75
	Position Level.....		6,882.75	6,982.75
	Fund Sources: General.....		\$987,032,138	<del>\$1,054,501,289</del> \$1,076,383,250
	Special.....		\$136,702,302	\$116,404,462
	Dedicated Special Revenue.....		\$15,000,000	\$0
	Federal Trust.....		\$120,108,743	\$120,706,024
339.	Not set out.			
340.	Not set out.			
341.	Not set out.			
342.	Not set out.			
343.	Not set out.			
344.	Not set out.			

ITEM 344.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
345.	Not set out.				
346.	Not set out.				
346.10	Not set out.				
347.	Not set out.				
348.	Not set out.				
348.10	Not set out.				

**§ 1-28. DEPARTMENT OF SOCIAL SERVICES (765)**

349.	Program Management Services (45100).....			\$53,942,409	\$51,486,088 \$48,512,957
	Training and Assistance to Local Staff (45101).....	\$5,177,672	\$5,177,672 \$4,958,667		
	Central Administration and Quality Assurance for Benefit Programs (45102).....	\$18,335,051	\$16,482,116 \$13,373,385		
	Central Administration and Quality Assurance for Family Services (45103).....	\$13,575,738	\$13,614,597 \$13,263,369		
	Central Administration and Quality Assurance for Community Programs (45105).....	\$10,890,414	\$10,845,088 \$12,263,373		
	Central Administration and Quality Assurance for Child Care Activities (45107).....	\$5,963,534	\$5,366,615 \$4,654,163		
	Fund Sources: General.....	\$20,924,807	\$21,892,959 \$20,460,487		
	Special.....	\$100,000	\$100,000		
	Dedicated Special Revenue.....	\$0	\$267,722		
	Federal Trust.....	\$32,917,602	\$29,225,407 \$27,684,748		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 2 and 21, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. The Department of Social Services, in collaboration with the Office of Children's Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the foster care services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local departments of social services. Training shall be provided on a regional basis at least once per year. Written guidance shall be updated and provided to local Office of Children's Services teams whenever there is a change in allowable expenses under federal or state guidelines. In addition, the Department of Social Services shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.

B.1. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Social Services, shall prepare and submit a forecast of expenditures for cash assistance provided through the Temporary Assistance for Needy Families (TANF) program, mandatory child day care services under TANF, foster care maintenance and adoption subsidy payments, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance Committees.

ITEM 349.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>2. The forecast of expenditures shall detail the incremental general fund and federal fund adjustments required by the forecast each year in the biennial budget. The Department of Planning and Budget shall convene a meeting on or before October 15 of each year with the appropriate staff from the Department of Social Services, and the House Appropriations and Senate Finance Committees to review current trends and assumptions used in the forecasts prior to their finalization.</p> <p>C. The Department of Social Services shall provide administrative support and technical assistance to the Family and Children's Trust Fund (FACT) Board of Trustees established in Sections 63.2-2100 through 63.2-2103, Code of Virginia.</p> <p>D. Out of this appropriation, \$1,829,111 the first year and \$1,829,111 the second year from the general fund and \$1,829,111 the first year and \$1,829,111 the second year from nongeneral funds shall be provided to fund the Supplemental Nutrition Assistance Program (SNAP) Electronic Benefit Transfer (EBT) contract cost.</p> <p>E.1. Out of this appropriation, ten positions and the associated funding shall be dedicated to providing on-going financial oversight of foster care services. Each of the ten positions, with two working out of each regional office, shall assess and review all foster care spending to ensure that state and federal standards are met. None of these positions shall be used for quality, information technology, or clerical functions.</p> <p>2. By September 1 of each year, the department shall report to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget regarding the foster care program's statewide spending, error rates and compliance with state and federal reviews.</p> <p>F. Out of this appropriation, \$187,549 the first year from the Temporary Assistance for Needy Families block grant shall be provided to manage the summer feeding pilot program, beginning June 2020 and ending August 2020.</p> <p>G. The Department of Social Services shall provide an annual report on the activities of the Office of New Americans by December 1 of each year.</p> <p>H. Out of this appropriation, \$3,560,858 the first year from the federal Temporary Assistance for Needy Families (TANF) grant shall be provided to fund a one-time food benefit payment to families with children enrolled in Head Start.</p> <p>I. The Department of Social Services shall not implement the Percentage of Income Payment Program (PIPP) until such time as there is adequate fee revenue from the universal service fee, collected by utility providers, available to fund the administrative costs necessary to implement the program, not to exceed \$3.0 million. Maximum allowable administrative costs are in totality and include costs borne by the Department of Housing and Community Development for PIPP administration.</p> <p>J. Out of this appropriation, \$54,309 the second year from the general fund and \$162,926 the second year from nongeneral funds is provided to implement the Virginia Facilitated Enrollment Program.</p>				
350.	Financial Assistance for Self-Sufficiency Programs and Services (45200).....		\$287,564,108	\$161,677,856 \$155,165,798
	Temporary Assistance for Needy Families (TANF) Cash Assistance (45201).....	\$74,788,126	<del>\$86,367,358</del> \$81,467,444	
	Temporary Assistance for Needy Families (TANF) Employment Services (45212).....	\$21,657,833	<del>\$21,657,833</del> \$17,045,689	
	Supplemental Nutrition Assistance Program Employment and Training (SNAPET) Services (45213).....	\$1,017,741	\$2,205,341	
	Temporary Assistance for Needy Families (TANF) Child Care Subsidies (45214).....	\$49,112,179	\$38,707,424	
	At-Risk Child Care Subsidies (45215).....	\$134,283,476	\$5,364,671	

ITEM 350.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Unemployed Parents Cash Assistance (45216).....	\$6,704,753	<del>\$7,375,229</del> \$10,375,229		
Fund Sources: General.....	\$80,654,719	<del>\$82,018,853</del> \$85,018,853		
Federal Trust.....	\$206,909,389	<del>\$79,659,003</del> \$70,146,945		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 through 7, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. It is hereby acknowledged that as of June 30, 2019 there existed with the federal government an unexpended balance of \$151,404,869 in federal Temporary Assistance for Needy Families (TANF) block grant funds which are available to the Commonwealth of Virginia to reimburse expenditures incurred in accordance with the adopted State Plan for the TANF program. Based on projected spending levels and appropriations in this act, the Commonwealth's accumulated balance for authorized federal TANF block grant funds is estimated at \$148,126,074 on June 30, 2020; \$96,974,124 on June 30, 2021; and ~~\$35,850,126~~ \$79,652,390 on June 30, 2022.

B. No less than 30 days prior to submitting any amendment to the federal government related to the State Plan for the Temporary Assistance for Needy Families program, the Commissioner of the Department of Social Services shall provide the Chairmen of the House Appropriations and Senate Finance *and Appropriations* Committees as well as the Director, Department of Planning and Budget written documentation detailing the proposed policy changes. This documentation shall include an estimate of the fiscal impact of the proposed changes and information summarizing public comment that was received on the proposed changes.

C. Notwithstanding any other provision of state law, the Department of Social Services shall maintain a separate state program, as that term is defined by federal regulations governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. § 260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-parent families. The separate state program shall be funded by state funds and operated outside of the TANF program. Able-bodied two-parent families shall not be eligible for TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits under the separate state program provided for in this paragraph. Although various conditions and eligibility requirements may be different under the separate state program, the basic benefit payment for which two-parent families are eligible under the separate state program shall not be less than what they would have received under TANF. The Department of Social Services shall establish regulations to govern this separate state program.

D. As a condition of this appropriation, the Department of Social Services shall disregard the value of one motor vehicle per assistance unit in determining eligibility for cash assistance in the Temporary Assistance for Needy Families (TANF) program and in the separate state program for able-bodied two-parent families.

E. The Department of Social Services, in collaboration with local departments of social services, shall maintain minimum performance standards for all local departments of social services participating in the Virginia Initiative for Employment, Not Welfare (VIEW) program. The department shall allocate VIEW funds to local departments of social services based on these performance standards and VIEW caseloads. The allocation formula shall be developed and revised in cooperation with the local social services departments and the Department of Planning and Budget.

F. A participant whose Temporary Assistance for Needy Families (TANF) financial assistance is terminated due to the receipt of 24 months of assistance as specified in § 63.2-612, Code of Virginia, or due to the closure of the TANF case prior to the completion of 24 months of TANF assistance, excluding cases closed with a sanction for noncompliance with the Virginia Initiative for Employment Not Welfare program, shall be eligible to receive employment and training assistance for up to 12 months after termination, if needed, in addition to other transitional services provided pursuant to § 63.2-611, Code of Virginia.

ITEM 350.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>G. The Department of Social Services, in conjunction with the Department of Correctional Education, shall identify and apply for federal, private and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections, including but not limited to the following grant programs: Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special Improvement Projects, § 1115 Social Security Demonstration Grants, and any new grant programs authorized under the federal Temporary Assistance for Needy Families (TANF) block grant program.</p>				
<p>H.1. Out of this appropriation, \$10,703,748 the first year and \$2,500,000 the second year from nongeneral funds is included for Head Start wraparound child care services.</p>				
<p>2. Included in this Item is funding to carry out the former responsibilities of the Virginia Council on Child Day Care and Early Childhood Programs. Nongeneral fund appropriations allocated for uses associated with the Head Start program shall not be transferred for any other use until eligible Head Start families have been fully served. Any remaining funds may be used to provide services to enrolled low-income families in accordance with federal and state requirements. Families, who are working or in education and training programs, with income at or below the poverty level, whose children are enrolled in Head Start wraparound programs paid for with the federal block grant funding in this Item shall not be required to pay fees for these wraparound services.</p>				
<p>I. Out of this appropriation, \$2,647,305 the first year and \$2,647,305 the second year from the general fund and \$72,503,762 the first year and from federal funds shall be provided to support state child care programs which will be administered on a sliding scale basis to income eligible families. The sliding fee scale and eligibility criteria are to be set according to the rules and regulations of the State Board of Social Services, except that the income eligibility thresholds for child care assistance shall account for variations in the local cost of living index by metropolitan statistical areas. The Department of Social Services shall make the necessary amendments to the Child Care and Development Funds Plan to accomplish this intent. Funds shall be targeted to families who are most in need of assistance with child care costs. Localities may exceed the standards established by the state by supplementing state funds with local funds.</p>				
<p>J. Out of this appropriation, \$600,000 the first year from nongeneral funds shall be used to provide scholarships to students in early childhood education and related majors who plan to work in the field, or already are working in the field, whether in public schools, child care or other early childhood programs, and who enroll in a state community college or a state supported senior institution of higher education.</p>				
<p>K. Out of this appropriation, \$505,000 the first year from nongeneral funds shall be used to provide training of individuals in the field of early childhood education.</p>				
<p>L. Out of this appropriation, \$300,000 the first year from nongeneral funds shall be used to provide child care assistance for children in homeless and domestic violence shelters.</p>				
<p>M. Out of this appropriation, the Department of Social Services shall use \$4,800,000 the first year and \$4,800,000 the second year from the federal Temporary Assistance to Needy Families (TANF) block grant to provide to each TANF recipient with two or more children in the assistance unit a monthly TANF supplement equal to the amount the Division of Child Support Enforcement collects up to \$200, less the \$100 disregard passed through to such recipient. The TANF child support supplement shall be paid within two months following collection of the child support payment or payments used to determine the amount of such supplement. For purposes of determining eligibility for medical assistance services, the TANF supplement described in this paragraph shall be disregarded. In the event there are sufficient federal TANF funds to provide all other assistance required by the TANF State Plan, the Commissioner may use unobligated federal TANF block grant funds in excess of this appropriation to provide the TANF supplement described in this paragraph.</p>				
<p>N. The Board of Social Services shall combine Groups I and II for the purposes of Temporary Assistance to Needy Families cash benefits and use the Group II rates for the new group.</p>				
<p>O.1. The Department of Social Services shall increase the Temporary Assistance for Needy</p>				



ITEM 350.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Families (TANF) cash benefits and income eligibility threshold by 15 percent effective July 1, 2020 and 10 percent effective July 1, 2021.</p>				
<p>2. The Department of Social Services shall develop a plan to increase the standards of assistance by 10 percent annually until they equal 50 percent of the federal poverty level.</p>				
<p>P. Out of this appropriation, \$5,240,499 the first year from the Temporary Assistance for Needy Families block grant shall be provided for a one-year summer feeding program pilot. This pilot shall provide fifty dollars for each of the months of June, July, and August on a qualifying child's family electronic benefits transaction (EBT) card. The funding shall be used to purchase meals for qualifying low-income children in areas that are currently unserved by but summer feeding programs. The pilot shall end on August 31, 2020. The department shall report on program performance and shall include monthly expenditures, number of children served, and localities in which children were served. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> committees by November 1, 2020.</p>				
<p>Q. The Department of Social Services shall study the resource cliff faced by families receiving public assistance when income increases enough to reduce or terminate the family's eligibility for public assistance. The report shall address how the structure and terms of eligibility affect the ability of participants to move toward self-sufficiency. The report shall be submitted to the Governor and Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> committees on or before August 1, 2021.</p>				
<p>R. Out of this appropriation, \$16,600,000 the first year from the Temporary Assistance for Needy Families block grant shall be transferred to Direct Aid for Public Education to fund current Virginia Preschool Initiative (VPI) slots.</p>				
<p>S. Out of this appropriation, \$16,600,000 the first year from the Child Care Development Fund block grant balance shall be used to support child care funding in Virginia for TANF recipients currently receiving child care and for families receiving child care subsidies, including Head Start wraparound services.</p>				
<p>T. Out of this appropriation, \$33,200,000 from federal Child Care Development Block Grant (CCDBG) funding provided to states in response to the COVID-19 pandemic 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, any federal funds for this purpose shall be expended prior to the expenditure of general fund amounts. Federal funds appropriated for this purpose may also be used to provide child care provider stabilization funds pursuant to Item 479.10. Federal funds appropriated for this purpose also may be used for broader purposes within the range of child care services than those purposes herein.</p>				
<p>U. Out of this appropriation, \$211,253 the first year from the federal Temporary Assistance for Needy Families (TANF) grant shall fund a one-time payment to TANF UP recipients.</p>				
<p>V.1. The Department of Social Services (DSS) and the Department of Education (DOE) shall ensure that the Temporary Assistance for Needy Families (TANF) Virginia Initiative for Employment and Work (VIEW) mandated child care forecast is funded through a combination of general fund, TANF, and Child Care Development Fund (CCDF) grant dollars. The amount of needed CCDF dollars identified in the Memorandum of Agreement (MOA) between the agencies shall be transferred from DOE to DSS within the first thirty days of the fiscal year. DSS shall notify DOE of the required amount of the next fiscal year transfer upon the enrollment of the budget. This amount shall reflect the need</p>				

ITEM 350.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
identified in the official forecast as well as changes resulting from actions in the final budget.				
2. The MOA shall reflect the full cost of the VIEW mandated child care program. From this amount, \$38,707,424 in the second year is appropriated at DSS and the balance shall be transferred from DOE from the CCDF grant to support the VIEW mandated child care program as specified in V.1.				
W. Out of this appropriation, \$2,120,420 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided for the Department of Social Services to implement a program so that TANF-eligible individuals may save funds in an individual development account established for the purposes of home purchase, education, starting a business, transportation, or self-sufficiency. The TANF funds shall be deposited to the individual development accounts at a match rate determined by the department.				
X. Out of this appropriation, \$9,647,528 the first year from the federal Child Care and Development Fund is provided to temporarily expand the Child Care Subsidy Program, pursuant to the provisions of House Bill 2206, 2021 Special Session I.				
351.	Financial Assistance for Local Social Services Staff (46000).....		\$522,053,226	<del>\$528,611,744</del> \$542,461,819
	Local Staff and Operations (46010).....	\$522,053,226	<del>\$528,611,744</del> \$542,461,819	
	Fund Sources: General.....	\$131,744,226	<del>\$141,809,399</del> \$141,502,144	
	Dedicated Special Revenue.....	\$8,659,655	<del>\$9,091,933</del> \$9,374,916	
	Federal Trust.....	\$381,649,345	<del>\$377,710,412</del> \$391,584,759	

Authority: Title 63.2, Chapters 1 through 7 and 9 through 16, Code of Virginia; P.L. 104-193, Titles IV A, XIX, and XXI, Social Security Act, Federal Code, as amended.

A. The amounts in this Item shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

B. Pursuant to the provisions of §§ 63.2-403, 63.2-406, 63.2-407, 63.2-408, and 63.2-615 Code of Virginia, all moneys deducted from funds otherwise payable out of the state treasury to the counties and cities pursuant to the provisions of § 63.2-408, Code of Virginia, shall be credited to the applicable general fund account.

C. Included in this appropriation are funds to reimburse local social service agencies for eligibility workers who interview applicants to determine qualification for public assistance benefits which include but are not limited to: Temporary Assistance for Needy Families (TANF); Supplemental Nutrition Assistance Program (SNAP); and Medicaid.

D. Included in this appropriation are funds to reimburse local social service agencies for social workers who deliver program services which include but are not limited to: child and adult protective services complaint investigations; foster care and adoption services; and adult services.

E. Out of the federal fund appropriation for local social services staff, amounts estimated at \$80,000,000 the first year and ~~\$80,000,000~~ \$83,200,000 the second year shall be set aside for allowable local costs which exceed available general fund reimbursement and amounts estimated at \$22,000,000 the first year and ~~\$22,000,000~~ \$24,000,000 the second year shall be set aside to reimburse local governments for allowable costs incurred in administering public assistance programs.

F. Out of this appropriation, \$562,260 the first year and \$562,260 the second year from the general fund and \$540,211 the first year and \$540,211 the second year from nongeneral funds is provided to cover the cost of the health insurance credit for retired local social services

ITEM 351.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

employees.

G. The Department of Social Services shall work with local departments of social services on a pilot project in the western region of the state to evaluate the available data collected by local departments on facilitated care arrangements. The department shall, based on the findings from the pilot project, determine the most appropriate mechanism for collecting and reporting such data on a statewide basis.

H.1. Out of this appropriation, \$4,527,969 the first year and \$4,527,969 the second year from the general fund shall be available for the reinvestment of adoption general fund savings as authorized in Title IV, parts B and E of the federal Social Security Act (P.L. 110-351).

2. Of the amount in paragraph H.1. above, \$1,333,031 the first year and \$1,333,031 the second year from the general fund shall be used to provide Child Protective Services (CPS) assessments and investigations in response to all reports of children born exposed to controlled substances regardless of whether the substance had been prescribed to the mother when she has sought or gained substance abuse counseling or treatment.

I. Out of this appropriation, \$2,150,048 from the general fund and \$2,175,528 from nongeneral funds the second year shall be provided for a pay band minimum increase in fiscal year 2022 of 20 percent for the family services positions and a 15 percent increase for benefit program services positions, self sufficiency services positions and administration positions that are currently below the new minimum threshold.

352. Child Support Enforcement Services (46300).....			\$772,017,654	\$770,838,766 \$768,160,191
Support Enforcement and Collection Services (46301).....	\$107,111,345	<del>\$105,932,457</del> \$103,253,882		
Public Assistance Child Support Payments (46302)	\$11,000,000	\$11,000,000		
Non-Public Assistance Child Support Payments (46303).....	\$653,906,309	\$653,906,309		
Fund Sources: General.....	\$15,970,085	<del>\$15,970,085</del> \$12,478,956		
Special.....	\$692,842,205	<del>\$691,663,317</del> \$696,035,943		
Federal Trust.....	\$63,205,364	<del>\$63,205,364</del> \$59,645,292		

Authority: Title 20, Chapters 2 through 3.1 and 4.1 through 9; Title 63.2, Chapter 19, Code of Virginia; P.L. 104-193, as amended; P.L. 105-200, P.L. 106-113, Federal Code.

A. Any net revenue from child support enforcement collections, after all disbursements are made in accordance with state and federal statutes and regulations, and after the state's share of the cost of administering the program is paid, shall be estimated and deposited into the general fund by June 30 of the fiscal year in which it is collected. Any additional moneys determined to be available upon final determination of a fiscal year's costs of administering the program shall be deposited to the general fund by September 1 of the subsequent fiscal year in which it is collected.

B. In determining eligibility and amounts for cash assistance, pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the department shall continue to disregard up to \$100 per month in child support payments and return to recipients of cash assistance up to \$100 per month in child support payments collected on their behalf.

C. The state share of amounts disbursed to recipients of cash assistance pursuant to paragraph B of this Item shall be considered part of the Commonwealth's required Maintenance of Effort spending for the federal Temporary Assistance for Needy Families program established by the Social Security Act.

D. The department shall expand collections of child support payments through contracts with private vendors. However, the Department of Social Services and the Office of the

ITEM 352.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Attorney General shall not contract with any private collection agency, private attorney, or other private entity for any child support enforcement activity until the State Board of Social Services has made a written determination that the activity shall be performed under a proposed contract at a lower cost than if performed by employees of the Commonwealth.</p> <p>E. The Division of Child Support Enforcement, in cooperation with the Department of Medical Assistance Services, shall identify cases for which there is a medical support order requiring a noncustodial parent to contribute to the medical cost of caring for a child who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS) Programs. Once identified, the division shall work with the Department of Medical Assistance Services to take appropriate enforcement actions to obtain medical support or repayments for the Medicaid program.</p> <p><i>F. Out of this appropriation, \$680,000 in nongeneral funds the second year is appropriated to support the design, development, and implementation of a modernized child support technology system.</i></p>				
353.	Adult Programs and Services (46800).....		\$40,660,209	\$45,577,762
	Auxiliary Grants for the Aged, Blind, and Disabled (46801).....	\$21,998,009	\$26,398,009	
	Adult In-Home and Supportive Services (46802).....	\$6,822,995	\$6,822,995	
	Domestic Violence Prevention and Support Activities (46803).....	\$11,839,205	\$12,356,758	
	Fund Sources: General.....	\$23,455,181	\$28,372,734	
	Federal Trust.....	\$17,205,028	\$17,205,028	

Authority: Title 63.2, Chapters 1, 16 and 22, Code of Virginia; Title XVI, federal Social Security Act, as amended.

A.1. Effective January 1, ~~2021~~ 2022, the Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of ~~\$1,420 per month and effective July 1, 2021, a rate of \$1,562~~ \$1,609 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight.

2. Effective January 1, 2013, the monthly personal care allowance for auxiliary grant recipients who reside in licensed assisted living facilities and approved adult foster care homes shall be \$82 per month, unless modified as indicated below.

3. The Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to increase the assisted living facility and adult foster care home rates and/or the personal care allowance cited above on January 1 of each year in which the federal government increases Supplemental Security Income or Social Security rates or at any other time that the department determines that an increase is necessary to ensure that the Commonwealth continues to meet federal requirements for continuing eligibility for federal financial participation in the Medicaid program. Any such increase is subject to the prior concurrence of the Department of Planning and Budget. Within thirty days after its effective date, the Department of Social Services shall report any such increase to the Governor and the Chairmen of the House Appropriations and Senate Finance *and Appropriations* Committees with an explanation of the reasons for the increase.

B. Out of this appropriation, \$4,185,189 the first year and \$4,185,189 in the second year from the federal Social Services Block Grant shall be allocated to provide adult companion services for low-income elderly and disabled adults.

C. The toll-free telephone hotline operated by the Department of Social Services to receive child abuse and neglect complaints shall also be publicized and used by the department to receive complaints of adult abuse and neglect.

D. Out of this appropriation, \$248,750 the first year and \$248,750 the second year from the general fund and \$1,346,792 the first year and \$1,346,792 the second year from federal

**ITEM 353.**

	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2021</b>	<b>FY2022</b>	<b>FY2021</b>	<b>FY2022</b>

Temporary Assistance for Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority.

E. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund and \$400,000 the first year and \$400,000 the second year from nongeneral funds shall be provided for the purchase of services for victims of domestic violence as stated in § 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

F. Out of this appropriation \$1,100,000 the first year and \$1,100,000 the second year from the general fund and \$2,500,000 the first year and \$2,500,000 the second year from federal Temporary Assistance to Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for services.

*G. On or before June 30, 2022, the Director, Department of Planning and Budget, shall unallot \$2,000,000 the second year from the general fund in this item, which reflects unused balances in the Auxiliary Grant program.*

354.	Child Welfare Services (46900).....		\$267,400,227	\$261,635,376 \$268,745,955
	Foster Care Payments (46901).....	\$59,399,725		
				\$47,565,642 \$53,079,145
	Supplemental Child Welfare Activities (46902).....	\$47,181,349		
				\$43,295,246 \$42,444,246
	Adoption Subsidy Payments (46903).....	\$147,409,103		
				\$148,153,060 \$150,551,464
	Prevention Services (46905).....	\$13,410,050		
				\$22,621,428 \$22,671,100
	Fund Sources: General.....	\$106,880,332		
				\$116,906,146 \$114,339,163
	Special.....	\$2,434,593		
	Dedicated Special Revenue.....	\$585,265		
	Federal Trust.....	\$157,500,037		
				\$141,709,372 \$151,386,934

Authority: Title 63.2, Chapters 1, 2, 4 and 8 through 15, Code of Virginia; P.L. 100-294, P.L. 101-126, P.L. 101-226, P.L. 105-89, P.L. 110-351, P.L. 111-320, as amended, Federal Code.

A. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully reimbursed except that expenditures otherwise subject to a standard local matching share under applicable state policy, including local staffing, shall continue to require local match. The commissioner shall ensure that local social service boards obtain reimbursement for all children eligible for Title IV-E coverage.

B. The commissioner, in cooperation with the Department of Planning and Budget, shall establish a reasonable, automatic adjustment for inflation each year to be applied to the room and board maximum rates paid to foster parents. However, this provision shall apply only in fiscal years following a fiscal year in which salary increases are provided for state employees.

C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided for the purchase of services for victims child abuse and neglect prevention activities as stated in § 63.2-1502, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

D. Out of this appropriation, \$180,200 the first year and \$180,200 the second year from the general fund and \$99,800 the first year and \$99,800 the second year from nongeneral funds shall be provided to continue respite care for foster parents.

E. Notwithstanding the provisions of §§ 63.2-1300 through 63.2-1303, Code of Virginia, adoption assistance subsidies and supportive services shall not be available for children adopted through parental placements, except parental placements where the legal guardian

ITEM 354.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

is a child placing agency at the time of the adoption. This restriction does not apply to existing adoption assistance agreements.

F.1. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the general fund shall be provided to implement pilot programs that increase the number of foster care children adopted.

2. Beginning July 1, 2017, the department shall provide an annual report, not later than 45 days after the end of the state fiscal year, on the use and effectiveness of this funding including, but not limited to, the additional number of special needs children adopted from foster care as a result of this effort and the types of ongoing supportive services provided, to the Governor, Chairmen of House Appropriations and Senate Finance *and Appropriations* Committees, and the Director, Department of Planning and Budget.

G. Out of this appropriation, \$11,983,748 the first year and ~~\$11,983,748~~ \$9,485,711 the second year from the general fund and \$7,000,000 the first year and \$7,000,000 the second year from nongeneral funds shall be provided for special needs adoptions.

H. Out of this appropriation \$55,466,726 the first year and ~~\$59,602,266~~ \$60,798,819 the second year from the general fund and \$75,602,450 the first year and ~~\$67,608,742~~ \$73,266,934 the second year from nongeneral funds shall be provided for Title IV-E adoption subsidies.

I. The Commissioner, Department of Social Services, shall ensure that local departments that provide independent living services to persons between 18 and 21 years of age make certain information about and counseling regarding the availability of independent living services is provided to any person who chooses to leave foster care or who chooses to terminate independent living services before his twenty-first birthday. Information shall include the option for restoration of independent living services following termination of independent living services, and the processes whereby independent living services may be restored should he choose to seek restoration of such services in accordance with § 63.2-905.1 of the Code of Virginia.

J.1. Notwithstanding the provisions of § 63.2-1302, Code of Virginia, the Department of Social Services shall negotiate all adoption assistance agreements with both existing and prospective adoptive parents on behalf of local departments of social services. This provision shall not alter the legal responsibilities of the local departments of social services set out in Chapter 13 of Title 63.2, Code of Virginia, nor alter the rights of the adoptive parents to appeal.

2. Out of this appropriation, \$342,414 the first year and \$342,414 the second year from the general fund and \$215,900 the first year and \$215,900 the second year from nongeneral funds shall be provided for five positions to execute these negotiations.

K.1. The Department of Social Services shall partner with Patrick Henry Family Services to implement a pilot program in the area encompassing Planning District 11 (Amherst, Appomattox, Bedford, Campbell Counties and the City of Lynchburg) for the temporary placements of children for children and families in crisis. The pilot program will allow a parent or legal custodian of a minor, with the assistance of Patrick Henry Family Services, to delegate to another person by a properly executed power of attorney any powers regarding care, custody, or property of the minor for a temporary placement for a period that is not greater than 90 days. The program will allow for an option of a one-time 90 day extension.

2. The department shall ensure that this pilot program meets the following specific programmatic and safety requirements outlined in 22 VAC 40-131 and 22 VAC 40-191:

(i) The pilot program organization shall meet the background check requirements described in 22 VAC 40-191.

(ii) The pilot program organization shall develop and implement written policies and procedures for governing active and closed cases, admissions, monitoring the administration of medications, prohibiting corporal punishment, ensuring that children are not subjected to abuse or neglect, investigating allegations of misconduct toward children, implementing the child's back-up emergency care plan, assigning designated casework staff, management of all records, discharge policies, and the use of seclusion and restraint (22 VAC 40-131-90).

ITEM 354.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

(iii) The pilot program organization shall provide pre-service and ongoing training for temporary placement providers and staff (22 VAC 40-131-210 and 22 VAC 40-131-150).

L.1. Out of this appropriation, \$2,925,954 the first year and \$2,925,954 the second year from the general fund and \$2,886,611 the first year and \$2,886,611 the second year from nongeneral funds shall be available for the expansion of foster care and adoption assistance as authorized in the federal Foster Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351; P.L. 11-148).

2. In order to implement the Fostering Futures program, the Department of Social Services shall set out the requirements for program participation in accordance with 42 U.S.C. 675 (8) (B) (iv) and shall provide the format of an agreement to be signed by the local department of social services and the youth. The definition of a child for the purpose of the Fostering Futures program shall be any natural person who has reached the age of 18 years but has not reached the age of 21. The Department of Social Services shall develop guidance setting out the requirements for local implementation including a requirement for six-month reviews of each case and reasons for termination of participation by a youth. The guidance shall also include a definition of a supervised independent living arrangement which does not include group homes or residential facilities. Implementation of this program includes the extension of adoption assistance to age 21 for youth who were adopted at age 16 or older and who meet the program participation requirements set out in guidance by the Department of Social Services.

3. The Department of Social Services shall issue guidance for the program's eligibility requirements and shall be available, on a voluntary basis, to an individual upon reaching the age of 18 who:

- (i) was in the custody of a local department of social services either:
  - (a) prior to reaching 18 years of age, remained in foster care upon turning 18 years of age; or
  - (b) immediately prior to commitment to the Department of Juvenile Justice and is transitioning from such commitment to self-sufficiency.
- (ii) and who is:
  - (a) completing secondary education or an equivalent credential; or
  - (b) enrolled in an institution that provides post-secondary or vocational education; or
  - (c) employed for at least 80 hours per month; or
  - (d) participating in a program or activity designed to promote employment or remove barriers to employment; or
  - (e) incapable of doing any of the activities described in subdivisions (a) through (d) due to a medical condition, which incapability is supported by regularly updated information in the program participant's case plan.

4. Implementation of extended foster care services shall be available for those eligible youth reaching age 18 on or after July 1, 2016.

M.1. Out of this appropriation, \$7,517,668 the first year and \$7,517,668 the second year from the general fund and \$2,500,000 the first year and \$2,500,000 the second year from nongeneral funds shall be available for the reinvestment of adoption general fund savings as authorized in title IV, parts B and E of the federal Social Security Act (P.L. 110-351).

2. Of the amounts in paragraph M.1. above, \$3,078,595 the first year and \$3,078,595 the second year from the general fund shall be used to develop a case management module for a comprehensive child welfare information system (CCWIS). In the development of the CCWIS, the department shall not create any future obligation that will require the appropriation of general fund in excess of that provided in this Act. Should additional appropriation, in excess of the amounts identified in this paragraph, be needed to complete development of this or any other module for the CCWIS, the department shall notify the

ITEM 354.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> Committees, and Director, Department of Planning and Budget.				
3. Beginning September 1, 2018, the department shall also provide semi-annual progress reports that includes current project summary, implementation status, accounting of project expenditures and future milestones. All reports shall be submitted to the Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> Committees, and Director, Department of Planning and Budget.				
N. Out of this appropriation, \$1,009,563 the first year and \$1,009,563 the second year from nongeneral funds shall be used to fund ten positions that support the child protective services hotline.				
O. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund and \$50,000 the first year and \$50,000 the second year from nongeneral funds shall be used to fund one position that supports Virginia Fosters.				
P. Out of this appropriation, \$851,000 the first year and \$851,000 the second year from the general fund is provided for training, consultation and technical support, and licensing costs associated with establishing evidence-based programming as identified in the federal Family First Prevention Services Act (FFPSA) Evidence-Based Programs Clearinghouse.				
Q. The Department of Social Services shall develop a plan to provide access statewide to a Kinship Navigator Program which will provide services to kinship caregivers who are having trouble finding assistance for their unique needs and to help these caregivers navigate their locality's service system, as well as federal and state benefits.				
S. The Department of Social Services shall create an emergency approval process for kinship caregivers and develop foster home certification standards for kinship caregivers using as a guide the Model Family Foster Home Licensing Standards developed by the American Bar Association Center on Children and the Law, the Annie E. Casey Foundation, Generations United, and the National Association for Regulatory Administration. The adopted standards should align, as much as reasonably possible, to the Model Family Foster Home Licensing Standards, and should ensure that children in foster care: (i) live in safe and appropriate homes under local department of social services and court oversight; (ii) receive monthly financial assistance and supportive services to help meet their needs; and (iii) can access the permanency options offered by Virginia's Kinship Guardianship Assistance Program.				
T. The Department of Social Services shall offset \$5,000,000 the first year of the general fund cost of implementing the Family First Prevention Services Act with federal Family First Transition Act funding for approved services and activities.				
U. The Commissioner shall establish a five-year plan for the Commonwealth to prevent child abuse and neglect. In developing this plan, the Department shall collaborate with the Department for Behavioral Health & Developmental Services, Department of Health, Department of Education, Family and Children's Trust and other relevant state agencies and stakeholders. This plan shall be focused on primary prevention, be trauma informed, include a public health framework on abuse prevention, promote positive youth development, and be asset and strength based. The plan shall reference and coordinate with any other state plans or programs that deal with issues related to child abuse prevention such as, but not limited to, teen pregnancy prevention, youth substance use, school dropout, domestic violence/family violence, and foster care prevention. The Commissioner shall convene a work group to assist with developing this plan. The workgroup shall include, but not be limited to, the following stakeholders: Families Forward Virginia, VOICES for Virginia's Children, and the Virginia Poverty Law Center. The Commissioner shall report the plan to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Commission on Youth by July 1, 2021.				
V. Within 10 days of the enactment of this Act, the Department of Social Services (DSS) shall generate an estimate of the annual impact of enhanced federal Medical Assistance Percentages (FMAP), associated with federal H.R. 6021, the Families First Coronavirus Response Act (FFCRA), on all Title IV-E foster care and adoptions programs as appropriated in this Act. The agency shall report these estimates by fiscal year, fiscal quarter, service area and fund detail, to the Department of Planning and Budget (DPB) and the Chairs of the House				



ITEM 354.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Appropriations and Senate Finance and Appropriations Committees within the required timeframe. DPB is authorized to unallot an amount of state funds equal to the general fund savings identified in the DSS report. Upon expiration of the enhanced FMAP, DPB is authorized to re-allot funding for those quarters for which assumed enhanced FMAP is not available.</p> <p>W. Out of this appropriation, \$322,601 the second year from the general fund and \$2,546,850 the second year from nongeneral funds is provided to implement the Virginia Facilitated Enrollment Program.</p>				
355.	Not set out.			
356.	Financial Assistance to Community Human Services Organizations (49200).....		\$62,357,967	\$70,082,967 \$70,166,967
	Community Action Agencies (49201).....	\$21,263,048	\$21,263,048	
	Volunteer Services (49202).....	\$3,866,340	\$3,866,340	
	Other Payments to Human Services Organizations (49203).....	\$37,228,579	<del>\$44,953,579</del> \$45,037,579	
	Fund Sources: General.....	\$1,424,500	\$7,674,500	
	Federal Trust.....	\$60,933,467	<del>\$62,408,467</del> \$62,492,467	

Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A.1. All increased state or federal funds distributed to Community Action Agencies shall be distributed as follows: The funds shall be distributed to all local Community Action Agencies according to the Department of Social Services funding formula (75 percent based on low-income population, 20 percent based on number of jurisdictions served, and five percent based on square mileage served), adjusted to ensure that no agency receives less than 1.5 percent of any increase.

2. Out of this appropriation, \$185,725 the first year and \$185,725 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with the Virginia Community Action Partnership to provide outreach, education and tax preparation services via the Virginia Earned Income Tax Coalition and other community non-profit organizations to citizens who may be eligible for the federal Earned Income Tax Credit. The contract shall require the Virginia Community Action Partnership to report on its efforts to expand the number of Virginians who are able to claim the federal EITC, including the number of individuals identified who could benefit from the credit, the number of individuals counseled on the availability of federal EITC, and the number of individuals assisted with tax preparation to claim the federal EITC. The annual report from the Virginia Community Action Partnership shall also detail actual expenditures for the program including the sub-contractors that were utilized. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by December 1 each year.

3. Out of this appropriation, \$7,750,000 the first year and \$7,750,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with local Community Action Agencies to provide an array of services designed to meet the needs of low-income individuals and families, including the elderly and migrant workers. Services may include, but are not limited to, child care, community and economic development, education, employment, health and nutrition, housing, and transportation.

4. Out of this appropriation, \$1,125,000 the first year and \$1,125,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided for competitive grants to Community Action Agencies for a Two-Generation/Whole Family Pilot Project and for evaluation of the pilot project. Applicants selected for the pilot project shall provide a match of no less than 20 percent of the grant, including in-kind services. The Department of Social Services shall report to the General Assembly annually

ITEM 356.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>on the progress of the pilot project and shall complete a final report on the project no later than six years after the commencement of the project.</p>			
	<p>B. The department shall continue to fund from this Item all organizations recognized by the Commonwealth as community action agencies as defined in §2.2-5400 et seq.</p>			
	<p>C. Out of this appropriation, \$8,617,679 the first year and \$8,617,679 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with programs that follow the evidence-based Healthy Families America home visiting model that promotes positive parenting, improves child health and development, and reduces child abuse and neglect. The Department of Social Services shall use a portion of the funds from this item to contract with the statewide office of Prevent Child Abuse Virginia for providing the coordination, technical support, quality assurance, training and evaluation of the Virginia Healthy Families programs.</p>			
	<p>E. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from nongeneral funds shall be provided for the Child Abuse Prevention Play (the play) administered by Virginia Repertory Theatre. The contract shall include production and live performances of the play that teach child safety awareness to prevent child abuse.</p>			
	<p>F. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the general fund shall be provided to contract with the Virginia Alzheimer's Association Chapters to provide dementia-specific training to long-term care workers in licensed nursing facilities, assisted living facilities and adult day care centers who deal with Alzheimer's disease and related disorders.</p>			
	<p>G. Out of this appropriation, \$1,500,000 the first year and \$2,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Northern Virginia Family Services (NVFS) to provide supportive services that address the basic needs of families in crisis, including the provision of food, financial assistance to prevent homelessness, access to health services, and adult workforce development programs. The contract shall require NVFS to provide an intake process that identifies the needs and appropriate services for those in crisis. Outcomes will be measured utilizing surveys provided to those who receive services and NVFS will report quarterly on survey results.</p>			
	<p>H. Out of this appropriation, \$405,500 the first year and \$405,500 the second year from the general fund and \$1,136,500 the first year and \$1,136,500 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with child advocacy centers (CAC) to provide a comprehensive, multidisciplinary team response to allegations of child abuse in a dedicated, child-friendly setting. The contracts shall require CACs to provide forensic interviews, victim support and advocacy services, medical evaluations, and mental health services to victims of child abuse and neglect with the expected outcome of reducing child abuse and neglect. The department shall allocate four percent to Children's Advocacy Centers of Virginia (CACVA), the recognized chapter of the National Children's Alliance for Virginia's Child Advocacy Centers, for the purpose of assisting and supporting the development, continuation, and sustainability of community-coordinated, child-focused services delivered by children's advocacy centers (CACs). Of the remaining 96 percent, (i) 65 percent shall be distributed to a baseline allocation determined by the accreditation status of the CAC: (a) developing and associate centers 100 percent of base; (b) accredited centers 150 percent of base; and (c) accredited centers with satellite facilities 175 percent of base; and (ii) 35 percent shall be allocated according to established criteria to include: (a) 25 percent determined by the rate of child abuse per 1,000; (b) 25 percent determined by child population; and (c) 50 percent determined by the number of counties and independent cities serviced.</p>			
	<p>I.1. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with the Virginia Early Childhood Foundation (VECF) to support the health and school readiness of Virginia's young children prior to school entry. These funds shall be matched with local public and private resources with a goal of leveraging a dollar for each state dollar provided.</p>			
	<p>2. Of the amounts in paragraph I.1. above, \$1,250,000 the first year and \$1,250,000 the</p>			

ITEM 356.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>second year from the Temporary Assistance for Needy Families (TANF) block grant shall be used to provide information and assistance to parents and families and to facilitate partnerships with both public and private providers of early childhood services. VECF will track and report statewide and local progress on a biennial basis. The Foundation shall account for the expenditure of these funds by providing the Governor, Secretary of Health and Human Resources, and the Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> Committees with a certified audit and full report on Foundation initiatives and results not later than October 1 of each year for the preceding fiscal year ending June 30.</p>				
<p>3. On or before October 1 of each year, the foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation.</p>				
<p>J. Out of this appropriation \$2,000,000 the first year and \$2,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to the Virginia Alliance of Boys and Girls Clubs to expand community-based prevention and mentoring programs.</p>				
<p>K.1. Out of this appropriation, \$7,500,000 the first year and \$7,500,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant the shall be provided for competitive grants for community employment and training programs designed to move low-income individuals out of poverty through programs designed to assist TANF recipients in obtaining and retaining competitive employment with the prospect of a career path and wage growth and other supportive services designed to break the cycle of poverty and permanently move individuals out of poverty. Of this amount, \$2,000,000 shall be provided for competitive grants provided through Employment Services Organizations (ESOs).</p>				
<p>2.a. Out of this appropriation, \$3,000,000 the first year and \$3,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant the shall be provided for a second round of grants for community employment and training programs designed to move low-income individuals out of poverty by obtaining and retaining competitive employment with the prospect of a career path and wage growth. The local match requirement shall be reduced to 10 percent, including in-kind services, for grant recipients located in Virginia counties or cities with high fiscal stress as defined by the Commission on Local Government fiscal stress index.</p>				
<p>b. Out of the amounts in 2.a., at least \$300,000 the first year and \$300,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided through a contract with the City of Richmond, Office of Community Wealth for services provided through the Center for Workforce Innovation.</p>				
<p>3. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the the Temporary Assistance to Needy Families (TANF) block grant shall be provided for a third round of competitive grants for community employment and training programs. Out of this amount, \$450,000 each year shall be provided for competitive grants through Employment Services Organizations. The department may encourage applicants to consider developing programs that align or coordinate with the Medicaid Referral program to be developed pursuant to language in Item 313 of this act.</p>				
<p>4. The Department of Social Services shall award grants to qualifying programs through a memorandum of understanding which articulates performance measures and outcomes including the number of individuals participating in services, number of individuals hired into employment, the number of unique employers hiring individuals through organizational programs and activities, the average starting wage of individuals hired, reductions in the rate of poverty, as well as process measures such as how the program targets improvement in poverty over a three to five year period and fits in with long term community goals for reducing poverty. Grants shall require local matching funds of at least a 25 percent, including in-kind services.</p>				
<p>5. Community employment and training programs and ESOs shall report on annual program performance and outcome measures contained in the memorandum of</p>				

<b>ITEM 356.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2021</b>	<b>Second Year FY2022</b>	<b>First Year FY2021</b>	<b>Second Year FY2022</b>
<p>understanding with the Department of Social Services. The department shall report on the implementation of the programs and any performance and outcome data collected through the memorandum of understanding by June 1 of each year.</p> <p>L. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to contract with Youth for Tomorrow (YFT) to provide comprehensive residential, education and counseling services to at-risk youth of the Commonwealth of Virginia who have been sexually exploited, including victims of sex trafficking. The contract shall require YFT to provide individual assessments/individual service planning; individual and group counseling; room and board; coordination of medical and mental health services and referrals; independent living services for youth transitioning out of foster care; active supervision; education; and family reunification services. Youth for Tomorrow shall submit monthly progress reports on activities conducted and progress achieved on outputs, outcomes and other functions/activities during the reporting period. On October 1 of each year, YFT shall provide an annual report to the Governor and the Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> Committees that details program services, outputs and outcomes.</p> <p>M. Out of this appropriation, \$75,000 the first year and \$150,000 the second year from the federal Temporary Assistance for Needy Families block grant shall be provided to contract with Visions of Truth Community Development Corporation in Portsmouth, Virginia. The funding will support the Students Taking Responsibility in Valuing Education (STRIVE) suspension/dropout prevention program.</p> <p>N. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the the federal Temporary Assistance for Needy Families block grant shall be provided to contract with Early Impact Virginia to continue its work in support of Virginia's voluntary home visiting programs. These funds may be used to hire three full-time staff, including a director and an evaluator, and to continue Early Impact Virginia's training partnerships. Early Impact Virginia shall have the authority and responsibility to determine, systematically track, and report annually on the key activities and outcomes of Virginia's home visiting programs; conduct systematic and statewide needs assessments for Virginia's home visiting programs at least once every three years; and to support continuous quality improvement, training, and coordination across Virginia's home visiting programs on an ongoing basis. Early Impact Virginia shall report on its findings to the Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> Committees by July 1, 2019 and annually thereafter.</p> <p>O. 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 the Laurel Center in Winchester to provide program services to survivors of domestic abuse and sexual violence in Winchester, Frederick County, Clarke County, and Warren County at the Center's residential facility for survivors.</p> <p>P. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be provided for the Department of Social Services to contract with Adoption Share, Inc. for the purpose of a pilot program to operate the Family-Match application, which is an online matching tool for state case workers to use in matching foster care children with the best families.</p> <p>Q. Out of this appropriation, \$100,000 the first year and \$350,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to FACETS to provide homeless assistance services in Northern Virginia.</p> <p>R. Out of this appropriation, \$3,000,000 the first year and \$3,000,000 the second year from the Temporary Assistance for Needy Families block grant shall be provided to contract with the Virginia Federation of Food Banks to provide child nutrition programs.</p> <p>S. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year for the Temporary Assistance for Needy Families block grant shall be provided to the Virginia Transit Association to offer competitive grants for public transportation (as defined in Virginia Code §33.2-100) and public transportation demand management service fare passes. The Virginia Transit Association shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on any performance and outcome data collected through</p>				

ITEM 356.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>the memorandum of understanding by July 1 of each year. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> committees.</p>				
<p>T. Out of this appropriation, \$700,000 the first year and <del>\$1,200,000</del> \$1,284,000 the second year from the Temporary Assistance for Needy Families block grant shall be provided to United Community to offer wrap-around services for low-income families. United Community shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on any performance and outcome data collected through the memorandum of understanding by July 1 of each year. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> committees.</p>				
<p>U. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to the Lighthouse Community Center, a nonprofit organization in Planning District 11, to provide housing assistance, or other eligible services, for individuals transitioning out of the criminal justice system and domestic violence situations contingent on contracting for services eligible under the TANF block grant.</p>				
<p>V. Out of this appropriation, \$500,000 the first year from the general fund shall be provided to the Laurel Center for expansion of education, outreach, program services, and new career and education support. Any unexpended balance as of June 30, 2021 shall not revert to the general fund but shall be reappropriated in fiscal year 2022.</p>				
<p>W. Out of this appropriation, \$650,000 the first year from the federal Temporary Assistance for Needy Families (TANF) grant shall be provided to food banks for the emergency food supply package program for fall 2020 and winter 2021. Funding authorized in this paragraph shall only be expended when no other federal funding source is available for this purpose.</p>				
<p>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.</p>				
<p>Y. 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.</p>				
<p>Z. 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.</p>				
<p>AA. 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.</p>				
<p>BB. Out of this appropriation, \$250,000 the first year from the general fund shall be provided to Children's Harbor to expand child care services on the Eastern Shore.</p>				
<p>CC. Out of this appropriation, \$200,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided for Good Shepherd Housing and Family Services to assist with food, housing, child care/education, workforce training and mental health services and supports related to the COVID-19 pandemic response.</p>				
<p>DD. Out of this appropriation, \$200,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided to BritePaths to assist with food, housing, child care and education, workforce training and mental health services and supports related to stabilizing families during the COVID-19 pandemic.</p>				

ITEM 356.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
EE. Out of this appropriation, \$200,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided to the Koinonia Foundation to assist with food, housing, child care and education, workforce training and mental health services and supports related to stabilizing families during the COVID-19 pandemic.				
FF. Out of this appropriation, \$5,000,000 from the general fund the second year shall be provided to Prince William County for the CASA Welcome Center in Prince William County. Funding shall be matched by private and other nonprofit or governmental funding on a cash and/or in-kind basis.				
GG. Out of this appropriation, \$2,000,000 from the general fund the second year shall be provided to Northampton County for the development of the Northampton County Community Center.				
HH. Out of this appropriation, \$200,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided to the the Lorton Community Action Center to assist with food, housing, child care and education, workforce training and mental health services and supports for low-income families during the COVID-19 pandemic.				
357. Regulation of Public Facilities and Services (56100)..			\$43,491,485	<del>\$16,311,476</del> \$14,655,078
Regulation of Adult and Child Welfare Facilities (56101).....	\$40,425,498	<del>\$13,245,489</del> \$11,648,998		
Background Investigation Services (56106).....	\$3,065,987	<del>\$3,065,987</del> \$3,006,080		
Fund Sources: General.....	\$6,554,217	<del>\$6,942,856</del> \$7,200,754		
Special.....	\$3,143,517	\$3,143,517		
Federal Trust.....	\$33,793,751	<del>\$6,225,103</del> \$4,310,807		

Authority: Title 63.2, Chapters 17 and 18, Code of Virginia.

A. The state nongeneral fund amounts collected and paid into the state treasury pursuant to the provisions of § 63.2-1700, Code of Virginia, shall be used for the development and delivery of training for operators and staff of assisted living facilities, adult day care centers, and child welfare agencies.

B. As a condition of this appropriation, the Department of Social Services shall (i) promptly fill all position vacancies that occur in licensing offices so that positions shall not remain vacant for longer than 120 days and (ii) hire sufficient child care licensing specialists to ensure that all child care facilities receive, at a minimum, the two visits per year mandated by § 63.2-1706, Code of Virginia, and that facilities with compliance problems receive additional inspection visits as necessary to ensure compliance with state laws and regulations.

C. As a condition of this appropriation, the Department of Social Services shall utilize a risk assessment instrument for child and adult care enforcement. This instrument shall include criteria for determining when the following sanctions may be used: (i) the imposition of intermediate sanctions, (ii) the denial of licensure renewal or revocation of license of a licensed facility, (iii) injunctive relief against a child care provider, and (iv) additional inspections and intensive oversight of a facility by the Department of Social Services.

D. Out of this appropriation, the Department of Social Services shall implement training for new assisted living facility owners and managers to focus on health and safety issues, and resident rights as they pertain to adult care residences.

E. Out of this appropriation, \$8,853,833 and 59 positions the first year from the federal Child Care and Development Fund (CCDF) shall be provided to address the workload associated with licensing, inspecting and monitoring family day homes, pursuant to § 63.2-1704, Code of Virginia. The Department of Social Services shall provide an annual report, not later than October 1 of each year for the preceding state fiscal year ending June 30, on the implementation of this initiative to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget.

ITEM 357.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
F. The Department of Social Services shall work with localities that currently inspect child day care centers and family day homes to minimize duplication and overlap of inspections pursuant to § 63.2-1701.1, Code of Virginia.				
G. No child day center, family day home, or family day system licensed in accordance with Chapter 17, Title 63.2; child day center exempt from licensure pursuant to § 63.2-1716; registered family day home; family day home approved by a family day system; or any child day center or family day home that enters into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant shall employ; continue to employ; or permit to serve as a volunteer who will be alone with, in control of, or supervising children any person who has an offense as defined in § 63.2-1719. All employees and volunteers shall undergo the following background check by July 1, 2017 and every 5 years thereafter, as required by the federal Child Care and Development Block Grant Act of 2014 (CCDBG).				
H. 1. A child day program that operates for children of essential personnel or those who have been identified as needing in-person services, who are in need of child care as a result of the COVID-19 pandemic, shall be exempt from licensure. Programs operating under this emergency licensing exemption must file an exemption with the Department and abide by the requirements set forth in § 63.2-1715(C) and (D), Code of Virginia. The Commissioner shall have the authority to inspect these programs only upon receipt of a complaint, except as otherwise provided by law.				
2. An instructional program operating under § 63.2-1715 (A), Code of Virginia solely for children of essential personnel must file with the Commissioner a statement indicating the intent to operate the program and identifying that the program will operate solely for the children of essential personnel or those who have been identified as needing in-person services. All emergency child care programs shall follow Centers for Disease Control and Prevention and Virginia Department of Health guidance on safety measures to prevent the spread of COVID-19.				
I. When a child day program operates in response to the COVID-19 pandemic, a background check for an individual associated with a child day program operating solely for children of essential personnel or those who have been identified as needing in-person services shall not be required for any individual who has completed a background check under the provisions of § 63.2-1720.1 or § 63.2-1721.1, Code of Virginia within the previous two years and who continues to be eligible. The Department shall establish a process regarding background check portability, and child day program providers seeking portability must follow this process.				
J. Any public or accredited private school may operate emergency child care for preschool or school aged children of essential personnel or those who have been identified as needing in-person services during a declared state or local emergency due to COVID-19. Such programs shall be exempt from licensure (§ 63.2-1715, Code of Virginia) and shall be subject to safety and supervisory standards, including background checks, established by the local school division or accredited private school offering the program. All emergency child care programs shall follow Centers for Disease Control and Prevention and Virginia Department of Health guidance on safety measures to prevent the spread of COVID-19.				
K.1. The Department of Social Services is authorized to temporarily waive the maximum reimbursable rate requirement in the Child Care Subsidy Regulation (22VAC40-665-80. Determining payment amount) and replace it with a flat rate of ten dollars per hour for in-home child care providers. The provisions of this paragraph, as well as any actions implemented under its authority, shall be in accordance with the Governor's emergency declaration for COVID-19 and be in effect for the period specified therein.				
2. If any action implemented in accordance with K.1. of this Item creates a fiscal obligation, the Department shall utilize appropriate nongeneral fund sources to fund the costs incurred. No general fund appropriation shall be used for this purpose.				
L. Out of this appropriation, \$2,528,124 the first year and \$786,369 the second year from the general fund and \$11,062,664 the first year and \$68,362 the second year from				

ITEM 357.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
nongeneral funds shall be appropriated to fund the replacement of the agency licensing system. Any unexpended general fund balance as of June 30, 2021, related to this paragraph shall be reappropriated to continue replacement of the agency licensing system.				
358.	Not set out.			
359.	Administrative and Support Services (49900).....		\$119,763,882	<del>\$116,707,287</del> \$133,623,219
	General Management and Direction (49901).....	\$5,172,009	<del>\$5,172,009</del> \$9,112,262	
	Information Technology Services (49902).....	\$87,041,448	<del>\$83,160,243</del> \$93,715,996	
	Accounting and Budgeting Services (49903).....	\$10,584,962	<del>\$10,584,962</del> \$8,442,856	
	Human Resources Services (49914).....	\$5,714,069	<del>\$5,714,069</del> \$5,753,339	
	Planning and Evaluation Services (49916).....	\$4,114,012	<del>\$4,114,012</del> \$4,210,812	
	Procurement and Distribution Services (49918).....	\$3,900,031	<del>\$3,900,031</del> \$4,272,948	
	Public Information Services (49919).....	\$2,851,040	<del>\$3,675,650</del> \$4,014,780	
	Financial and Operational Audits (49929).....	\$386,311	<del>\$386,311</del> \$4,100,226	
	Fund Sources: General.....	\$45,889,214	<del>\$46,441,519</del> \$52,578,807	
	Special.....	\$175,000	\$175,000	
	Dedicated Special Revenue.....	\$0	\$2,000,000	
	Federal Trust.....	\$73,699,668	<del>\$68,090,768</del> \$78,869,412	

Authority: Title 63.2, Chapter 1; § 2.2-4000 et seq., Code of Virginia; P.L. 98-502, P.L. 104-156, P.L. 104-193, P.L. 104-327, P.L. 105-33, as amended, P.L. 105-89, Federal Code; Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XXI of the federal Social Security Act, as amended.

A. The Department of Social Services shall require localities to report all expenditures on designated social services, regardless of reimbursement from state and federal sources. The Department of Social Services is authorized to include eligible costs in its claim for Temporary Assistance for Needy Families Maintenance of Effort requirements.

B. It is the intent of the General Assembly that the Commissioner, Department of Social Services shall work with localities that seek to voluntarily merge and consolidate their respective local departments of social services. No funds appropriated under this act shall be used to require a locality to merge or consolidate local departments of social services.

C.1. Out of this appropriation, \$473,844 the first year and \$836,149 the second year from the general fund and \$969,542 the first year and \$1,331,847 the second year from nongeneral funds shall be provided to support the statewide 2-1-1 Information and Referral System which provides resource and referral information on many of the specialized health and human resource services available in the Commonwealth, including child day care availability and providers in localities throughout the state, and publish consumer-oriented materials for those interested in learning the location of child day care providers.

2. The Department of Social Services shall request that all state and local child-serving agencies within the Commonwealth be included in the Virginia Statewide Information and Referral System as well as any agency or entity that receives state general fund dollars and provides services to families and youth. The Secretary of Health and Human Resources, the Secretary of Education and Workforce, and the Secretary of Public Safety and Homeland Security shall assist in this effort by requesting all affected agencies within their secretariats to submit information to the statewide Information and Referral System and ensure that such information is accurate and updated annually. Agencies shall also notify the Virginia Information and Referral System of any changes in services that may occur throughout the year.



ITEM 359.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>3. The Department of Social Services shall communicate with child-serving agencies within the Commonwealth about the availability of the statewide Information and Referral System. This information shall also be communicated via the Department of Social Services' broadcast system on their agency-wide Intranet so that all local and regional offices can be better informed about the Statewide Information and Referral System. Information on the Statewide Information and Referral System shall also be included within the department's electronic mailings to all local and regional offices at least biannually.</p>				
<p>D.1. Within 30 days of awarding or amending any contract related to the Virginia Case Management System (VaCMS), the Department of Social Services (DSS) shall provide the Chairmen of the House Appropriations and Senate Finance <i>and Appropriations</i> Committees, and Director, Department of Planning and Budget with a copy of the contract, including any fiscal implications.</p>				
<p>2. Prior to the award of any contract that will potentially obligate the Commonwealth to future unappropriated spending, the department shall receive prior written concurrence from Director, Department of Planning and Budget. Any approved increases in funding requests shall be reported by DSS to the Chairmen of House Appropriations and Senate Finance <i>and Appropriations</i> Committees within 30 days.</p>				
<p>E. At least 60 days prior to the modification of any public guidance document, handbook, manual, or state plan, the Department of Social Services (DSS) shall provide written notification to the Governor and the Director of the Department of Planning and Budget as to the purpose of such change. This notice shall also assess whether the amendment may require any 1) future state regulatory action; 2) increase in local costs; and/or 3) any state expenditure beyond that which is appropriated in this Act. This notice does not exempt the agency from any requirements set forth within § 4-5.03 of this Act.</p>				
<p>F. The Superintendent of Public Instruction shall convene a work group to develop and establish a plan to transfer the Child Care Development Fund grant from the Virginia Department of Social Services to the Virginia Department of Education no later than July 1, 2021. The work group shall include representatives of (i) the Secretariats of Education and Health and Human Resources; (ii) relevant state agencies, including the Department of Planning and Budget, the Office of the Attorney General, the Department of Education, and the Department of Social Services; (iii) relevant regulatory boards, including the Board of Education; and (iv) the House Committee on Appropriations and the Senate Committee on Finance and Appropriations. The goal of this transfer is to house responsibility of child care and education programs under one agency. The plan shall be submitted to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and Director of the Department of Planning and Budget no later than August 15, 2020. Such plan shall confirm the funding amounts and positions that need to be transferred between the impacted agencies, and shall identify any savings or additional costs associated with the transfer of these programs. The review shall also assess any potential administrative impacts on the Department of Social Services and the Department of Education.</p>				
<p>H. The Department of Social Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15 of each year. For the report due August 15, 2020, the department shall provide a summary of all organizational changes implemented since January 1, 2018.</p>				
<p>I. Notwithstanding any other provision of law, the Department of Social Services (DSS) shall have temporary authority to make any changes to relevant State Plans, request waivers from applicable Federal agencies, change eligibility criteria for benefits and services, and payment levels for applicable programs in response to the COVID-19 pandemic and new authorities and funding made available by the federal government to effect those policies necessary to ensure that benefits are available to eligible populations in response to COVID-19. Prior to the implementation of any change, DSS must receive written approval from the Governor. Within 15 days of implementing changes in response</p>				

ITEM 359.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>to COVID-19, DSS shall send a list of such actions to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. The provisions of this paragraph, as well as any actions implemented under its authority, shall be in accordance with the Governor's emergency declaration for COVID-19 and be in effect for the period specified therein.</p>				
<p>J. Out of this appropriation, \$178,043 the first year from the federal Temporary Assistance for Needy Families (TANF) grant shall be provided to fund payment structure changes to implement one-time food benefit payments to families with children enrolled in Head Start.</p>				
<p>K. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the general fund and \$125,000 the first year and \$125,000 the second year from nongeneral funds shall be appropriated to fund the replacement of the agency licensing system. Any unexpended general fund balance as of June 30, 2021, related to this paragraph shall be reappropriated to continue replacement of the agency licensing system.</p>				
<p>L. The Department of Social Services shall design, for consideration by the 2022 General Assembly, a program that provides a fixed reimbursement, which shall not exceed \$15 monthly, for broadband service costs for select households currently participating in the Supplemental Nutrition Assistance Program. The reimbursement payments under the program shall be structured as a direct payment to a broadband provider selected by the qualifying program participant household, provided that the selected broadband provider offers a low-cost broadband service for low-income households within its service area in the Commonwealth. The department shall develop program guidelines in coordination with the Commonwealth Broadband Chief Advisor to govern eligibility for participation in the program and disbursement of program funds. The department shall report on the program design and structure, administrative cost estimates, program guidelines, and other relevant information related to implementing the program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021.</p>				
<p>M. The Department of Social Services as administrator of the federal Community Services Block Grant shall establish an interagency working group to develop recommendations for implementation of local criminal justice diversion programs. Each diversion program should offer standards for providing persons charged with lower-level offenses alternatives to arrest, conviction or incarceration for lower-level offenses. The scope of these programs shall not include behavioral health issues as those priorities are being addressed elsewhere. The working group should include the appropriate offices and agencies of Health and Human Resources, Commerce and Trade, Public Safety and Homeland Security and the Governor's Chief Diversity, Equity and Inclusion Officer. The interagency working group shall work with community action agencies, local governments including local law enforcement, representatives of the judicial system, civil rights organizations as well as other stakeholders to develop locally-based solutions. The recommendations shall provide for two-generation whole family strategies that deal with meeting the needs of the potential offender and his or her entire family by addressing issues related to poverty, including homelessness. The Department of Social Services shall submit its recommendations to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee no later than September 30, 2021.</p>				
<p>N. Out of this appropriation, \$100,000 the second year from the general fund is provided for the Department of Social Services to increase interpretation and translation services to help immigrants in Virginia access local resources through 2-1-1, including healthcare, housing, and other social services.</p>				
360.	Not set out.			
361.	Not set out.			
361.10	Not set out.			
	Total for Department of Social Services.....		\$2,253,491,892	\$2,106,691,975 \$2,130,832,399
	General Fund Positions.....	653.00	663.00	

ITEM 361.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Nongeneral Fund Positions.....	1,224.50	1,079.50		
Position Level.....	1,877.50	1,742.50		
Fund Sources: General.....	\$434,112,881	<del>\$468,644,651</del> \$470,241,998		
Special.....	\$698,695,315	<del>\$697,516,427</del> \$701,889,053		
Dedicated Special Revenue.....	\$9,244,920	<del>\$11,944,920</del> \$12,227,903		
Federal Trust.....	\$1,111,438,776	<del>\$928,585,977</del> \$946,473,445		
362. Not set out.				
363. Not set out.				
364. Not set out.				
365. Not set out.				
366. Not set out.				
367. Not set out.				
368. Not set out.				
369. Not set out.				
369.10 Not set out.				
370. Not set out.				
371. Not set out.				
TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES.....			<b>\$22,158,912,664</b>	<b><del>\$23,689,617,791</del></b> <b>\$24,281,847,915</b>
General Fund Positions.....	8,294.65	8,466.65		
Nongeneral Fund Positions.....	6,404.12	<del>6,309.12</del> 6,320.12		
Position Level.....	14,698.77	<del>14,775.77</del> 14,786.77		
Fund Sources: General.....	\$6,555,620,290	<del>\$7,692,316,925</del> \$6,817,488,119		
Special.....	\$1,025,744,383	<del>\$1,005,666,331</del> \$1,010,038,957		
Enterprise.....	\$77,918,817	\$64,418,817		
Trust and Agency.....	\$1,724,096	\$1,724,096		
Dedicated Special Revenue.....	\$1,597,497,252	<del>\$1,650,343,495</del> \$1,740,174,509		
Federal Trust.....	\$12,900,407,826	<del>\$13,275,148,127</del> \$14,648,003,417		

ITEM 372.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**OFFICE OF NATURAL RESOURCES**

372. Not set out.

**§ 1-29. DEPARTMENT OF CONSERVATION AND RECREATION (199)**

373. Not set out.

374. Leisure and Recreation Services (50400).....			\$74,254,316	<del>\$84,086,747</del> \$84,516,747
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).....	\$50,210,466	<del>\$50,932,897</del> \$51,362,897		
Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406).....	\$6,499,064	\$15,609,064		
Fund Sources: General.....	\$37,776,459	<del>\$47,408,890</del> \$47,838,890		
Special.....	\$27,511,003	\$27,711,003		
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.

ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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.				
4. In addition to the amounts provided in paragraph C.1., the Department is authorized to provide \$1,412,000 the first year <i>and \$430,000 the second year</i> from the general fund for the modernization of the Rhododendron Restaurant and lodge unit repairs.				
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				

ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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.				
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.				
Q. Out of the amounts in this Item, \$4,000,000 the second year from the general fund is provided to support Project Harmony, an environmental justice project to address the repatriation of tombstones from the former Columbian Harmony Cemetery and creation of the Harmony Living Shoreline memorial. These funds shall be used to support all aspects of the project to include but not limited to 1) locating, recovering and cataloging tombstones from the shoreline of the Potomac River at Chotank Creek Natural Area Preserve/Cedar Grove Farm, 2) logistical support and transportation of the tombstones to the New Harmony cemetery in Landover, Maryland to reunite the markers at the location where the human remains are now located, and 3) development, design, engineering and installation of the Harmony Living Shoreline memorial using remaining materials from the former Columbian Harmony Cemetery that cannot be recovered.				
S. Included in the amounts for this item is \$1,511,600 the second year from the general fund to connect Mason Neck State Park to a public drinking water supply system.				

ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>T. Out of the amounts in this item, \$350,000 the second year from the general fund is provided to assist the Mendota Trail Conservancy in the restoration of abandoned railroad trestles for conversion to use as a walking and cycling trail. <i>Any remaining balances shall not revert to the general fund and shall be carried forward to the subsequent fiscal year.</i></p>				
<p>U. Out of the amounts in this item, \$2,000,000 the second year from the general fund is provided to the Northern Virginia Regional Park Authority for the purchase and conservation of River Farm in the City of Alexandria.</p>				
<p>U. Out of the amounts in this item, \$2,000,000 the second year from the general fund is provided for the Department of Conservation and Recreation to establish a grant program for accessibility improvements at a property owned by a charity, formerly part of George Washington's estate, including the design and construction of ADA compliant public trails and viewing areas, driveway and parking areas, shoreline stabilization, passive use water access and riverbank restoration, and elimination of invasive plant species in coordination with the Virginia Outdoors Foundation.</p>				
<p>V. Out of the amounts in this Item, \$3,500,000 the second year from the general fund is provided to the Chickahominy Tribe to assist in the acquisition and restoration of tribal land.</p>				
375.	Not set out.			
375.10	Not set out.			
	Total for Department of Conservation and Recreation.....		<b>\$190,914,399</b>	<b>\$210,589,859</b> <b>\$211,019,859</b>
	General Fund Positions.....	435.50	443.50	
	Nongeneral Fund Positions.....	46.50	46.50	
	Position Level.....	482.00	490.00	
	Fund Sources: General.....	\$133,055,585	<del>\$152,531,045</del> \$152,961,045	
	Special.....	\$28,721,864	\$28,921,864	
	Dedicated Special Revenue.....	\$15,968,326	\$15,968,326	
	Federal Trust.....	\$13,168,624	\$13,168,624	

**§ 1-30. DEPARTMENT OF ENVIRONMENTAL QUALITY (440)**

376.	Land Protection (50900).....		\$27,719,477	\$29,379,311
	Land Protection Permitting (50925).....	\$3,892,832	\$4,769,666	
	Land Protection Compliance and Enforcement (50926).....	\$21,920,926	\$21,920,926	
	Land Protection Outreach (50927).....	\$1,148,207	\$1,584,707	
	Land Protection Planning and Policy (50928).....	\$757,512	\$1,104,012	
	Fund Sources: General.....	\$1,118,504	\$2,778,338	
	Special.....	\$1,658,065	\$1,658,065	
	Trust and Agency.....	\$11,504,641	\$11,504,641	
	Dedicated Special Revenue.....	\$7,278,037	\$7,278,037	
	Federal Trust.....	\$6,160,230	\$6,160,230	

Authority: Title 10.1, Chapters 11.1, 11.2, 12.1, 14, and 25; Title 44, Chapter 3.5, Code of Virginia.

A. It is the intent of the General Assembly that balances in the Virginia Environmental Emergency Response Fund be used to meet match requirements for U.S. Environmental Protection Agency Superfund State Support Contracts.

B. Notwithstanding the provisions of § 10.1-1422.3, Code of Virginia, \$1,807,575 in the first year and \$1,807,575 in the second year from the Waste Tire Trust Fund, and \$250,000 in the first year and \$250,000 in the second year from the Hazardous Waste

ITEM 376.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

Management Permit Fund within the Department of Environmental Quality shall be used for the costs associated with the Department's land protection and water programs. Such funds may be used for the purposes set forth in § 10.1-1422.3, Code of Virginia, at the Director's discretion and only as available after funding other land protection and water programs.

C. The Department of Environmental Quality (DEQ) is directed to study the chemical conversion process referred to as Advanced Recycling, which includes the processes of pyrolysis, gasification, depolymerization and other processes which convert certain plastic waste into hydrocarbon raw materials. The study would include a survey of other states' approaches to regulation of Advanced Recycling, review of the operational history and environmental impacts of the industry, and recommendations for regulation of the industry in Virginia to ensure that the Commonwealth's air, water, land and other natural resources are fully protected. DEQ would include recommendations as to whether the Commonwealth's Solid Waste Management laws and Department regulations pursuant to 9VAC20-81-410 and relevant air and water permitting regulations would provide adequate regulation of the industry, or would require revision. The study would also invite input from a stakeholder advisory group convened by the agency, comprised of representatives of the chemical conversion industry, recycling industry, environmental organizations and community representatives. The Department shall provide a summary of its study and make recommendations on the regulation of the advanced recycling industry within a report submitted to the Chair of the House Agriculture Chesapeake and Natural Resources Committee and the Chair of the Senate Agriculture Conservation and Natural Resources Committee by December 31, 2021.

*D. The Department shall provide technical assistance to the City of Bristol in resolving ongoing health, environmental, and quality of life issues with its landfill and to facilitate a long-term plan for the operational status of the landfill following the completion of mitigation efforts.*

377.	Water Protection (51200).....			\$44,585,173	\$54,521,149
	Water Protection Permitting (51225).....	\$8,954,437	\$11,584,142		
	Water Protection Compliance and Enforcement (51226).....	\$7,554,363	\$8,891,303		
	Water Protection Outreach (51227).....	\$2,039,937	\$2,476,437		
	Water Protection Planning and Policy (51228).....	\$8,451,889	\$8,435,790		
	Water Protection Monitoring and Assessment (51229).....	\$9,974,265	\$15,523,195		
	Water Protection Stormwater Management (51230)...	\$7,610,282	\$7,610,282		
	Fund Sources: General.....	\$22,085,766	\$32,021,742		
	Special.....	\$1,919,279	\$1,919,279		
	Trust and Agency.....	\$25,500	\$25,500		
	Dedicated Special Revenue.....	\$12,084,183	\$12,084,183		
	Federal Trust.....	\$8,470,445	\$8,470,445		

Authority: Title 10.1, Chapter 11.1; and Title 62.1, Chapters 2, 3.1, 3.2, 3.6, 5, 6, 20, 22, 24, and 25, Code of Virginia.

A. Out of this appropriation, \$51,500 the first year and \$51,500 the second year from the general fund is designated for annual membership dues for the Ohio River Valley Water Sanitation Commission.

B.1. The permit fee regulations adopted by the State Water Control Board pursuant to paragraphs B.1. and B.2. of § 62.1-44.15:6, Code of Virginia, shall be set at an amount representing not more than 50 percent of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System permits and Virginia Pollution Abatement permits.

2. The regulations adopted by the State Water Control Board to initially implement the provisions of this Item shall be exempt from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2010. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia.



ITEM 377.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>C. Out of the appropriation for this Item, \$151,500 the first year and \$151,500 the second year from the general fund is designated for the annual membership dues for the Interstate Commission on the Potomac River Basin.</p>				
<p>D.1. Notwithstanding § 62.1-44.15:56, Code of Virginia, public institutions of higher education, including community colleges, colleges, and universities, shall be subject to project review and compliance for state erosion and sediment control requirements by the local program authority of the locality within which the land disturbing activity is located, unless such institution submits annual specifications to the Department of Environmental Quality, in accordance with § 62.1-44.15:56 A (i), Code of Virginia.</p>				
<p>2. The State Water Control Board is authorized to amend the Erosion and Sediment Control Regulations (9 VAC 25-840 et seq.) to conform such regulations with this project review requirement and to clarify the process. These amendments shall be exempt from Article 2 (§2.2-4006 et seq.) of the Administrative Process Act.</p>				
<p>E. Beginning October 1, 2015, there shall be a \$3.75 fee imposed on each dry ton of exceptional quality biosolids cake sewage sludge that is land applied pursuant to § 62.1-44.19:3P, Code of Virginia, until such fee is altered, amended or rescinded by the State Water Control Board.</p>				
<p>F.1. The Department shall work in conjunction with the Virginia Economic Development Partnership to facilitate the development of long-term offsetting methods within the Virginia Nutrient Credit Exchange as set out in Item 130 of this act.</p>				
<p>2. The Department shall work with permittees operating under the Chesapeake Bay Watershed Nutrient General Permit and interested stakeholders through a workgroup including local government representatives, the Chesapeake Bay Foundation and the James River Association to review the assumptions used in estimating the effluent nutrient concentrations and trends of wastewater facilities and to identify cost-effective options to achieve wastewater nutrient load levels with reasonable assurance consistent with the needs of the Chesapeake Bay TMDL Phase III Watershed Implementation Plan. The review shall be completed and provided to the Chairs of the House Appropriations Committee, the Senate Finance and Appropriations Committee, the House Committee on Agriculture, Chesapeake and Natural Resources, the Senate Committee on Agriculture, Conservation, and Natural Resources and the Virginia delegation of the Chesapeake Bay Commission by December 1, 2020. The Department shall continue issuing Water Quality Improvement Fund grants for additional nutrient removal projects in accordance with the appropriations under Items 379 and C-70 of this act and §§ 10.1-1186.01 and 10.1-2117 of the Code of Virginia.</p>				
<p>G. Notwithstanding any other provision of law, any Virginia Stormwater Management Program authority is authorized to charge a voluntary fee of \$30,000 for review of sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres for an expedited stormwater management program plan review. Any individual or firm electing to pay the voluntary fee shall be guaranteed the total government review time shall not exceed 45 days excluding any applicant's time in responding to questions. Any amounts paid to DEQ above the \$9,600 fee shall be used by DEQ to increase the staffing level of the reviewers of these applications.</p>				
<p>H. Out of the amounts in this Item, \$2,736,330 the second year from the general fund is included for the purchase of laboratory and field equipment <del>through the Commonwealth's Master Equipment Leasing Program.</del></p>				
<p>I. The Department shall assess current provisions of the Virginia Erosion and Sediment Control Act, Storm Water Management Act, and the Chesapeake Bay Preservation Act and identify any areas of inconsistency, conflict, and duplication within and among the existing administrative regulations across the three regulatory programs and analyze the impact on locally administered programs for MS4 permit localities under the Virginia Stormwater Management Act. A final report of the assessment, and all associated recommendations for increasing the efficiency and improving the integration of the current regulatory framework, shall be submitted to the Governor and the General Assembly no later than April 1, 2021.</p>				

ITEM 377.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
J. Out of the amounts appropriated for this item, \$231,000 the first year and \$231,000 the second year is provided for regional water resource planning activities.				
K. The Department shall assess alternative reimbursement models and reimbursement amounts for nutrient removal grants provided to projects serving a locality or localities with: (i) high fiscal stress as defined by the Composite Fiscal Stress Index; (ii) median household incomes below the Commonwealth's average; and (iii) the capacity of ratepayers to absorb the additional costs of financing nutrient removal projects. The Department shall provide a report detailing its findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 15, 2020.				
L.1. Out of the amounts appropriated for this item, \$1,100,000 the second year from the general fund is to be deposited in the Virginia Stormwater Management Fund.				
2. Notwithstanding § 62.1-44.15:28, as it is currently effective and as it shall become effective, Code of Virginia, the permit fee regulations adopted by the State Water Control Board pursuant to § 62.1-44.15:28, as it is currently effective and as it shall become effective, Code of Virginia, for the Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Construction Activities and municipal separate storm sewer system permits shall be set at an amount representing no less than 60 percent, not to exceed 62 percent, of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Construction Activities and municipal separate storm sewer system permits. To the extent practicable, the Board shall solicit input from affected stakeholders when establishing the new fee structure.				
3. Notwithstanding § 62.1-44.19:20, Code of Virginia, the application fee schedule adopted by the State Water Control Board pursuant to § 62.1-44.19:20, Code of Virginia, shall be set at an amount representing no less than 60 percent, not to exceed 62 percent, of the direct costs for the administration, compliance and enforcement of the nutrient credit certification program. To the extent practicable, the Board shall solicit input from affected stakeholders when establishing the new fee structure.				
M. Out of the amounts appropriated for this item, \$175,000 the second year from the general fund is provided for a research project to field test the effectiveness of using halophytes growing in biochar-amended soil to capture and remove salt from highway and parking lot stormwater runoff.				
N. The Director of the Department of Environmental Quality shall convene a working group for the purpose of developing an annual or project-based fee schedule for the review of erosion and sediment control plans related to solar energy project applications. The working group shall include representatives of (i) private sector companies that own or operate solar energy facilities, (ii) local governments that permit solar facilities, and (iii) other stakeholders determined by the Department to be necessary to the development of the fee schedule.				
O. The Department of Environmental Quality, in consultation with the Department of Agriculture and Consumer Services and the Department of Forestry, shall establish a workgroup to review the practice of retiring agricultural land for the generation of nutrient credits and determine its impact on agricultural sustainability, farmland retention, farmland preservation, and functions of the nutrient credit exchange in the Virginia portion of the Chesapeake Bay watershed and its subwatersheds. If it is determined that there is impact on farmland retention/availability, the report should include recommendations regarding how the nutrient credit trading regulations and/or underlying statutory authority should be changed to help reduce the loss of prime farmland. If the land for nutrient credits is converted to forestland, the workgroup should identify what protections are in the nutrient credit trading regulations to ensure the forestland is managed under a forestry management plan and/or noxious weed or invasive species are controlled. The review shall be completed and provided to the Chairs of the House Committee on Agriculture, Chesapeake and Natural Resources, the Senate Committee on Agriculture, Conservation, and Natural Resources and the Virginia delegation of the Chesapeake Bay Commission by December 1, 2021. The workgroup shall include representatives of the Virginia Agribusiness Council, Virginia Farm Bureau, the Chesapeake Bay Commission, Virginia Cooperative Extension, the Virginia Department of Transportation, Home Builders Association of Virginia, Virginia Association for Commercial Real Estate, representatives from local Soil and Water Conservation Districts, representatives				

ITEM 377.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	of local governments, local economic development officials, and other stakeholders deemed appropriate by the Department.			
	P. The Department of Environmental Quality shall convene a workgroup, in conjunction with the Department of Health and the Department of Agriculture and Consumer Services, to conduct research and complete a single collaborative report that provides findings and recommendations related to: (i) the location, frequency, and severity of harmful algae blooms in Virginia waters; (ii) the factors that lead to the formation and occurrence of harmful algae blooms; and, (iii) plans and strategies for state agencies to lead or support appropriate mitigation efforts. The workgroup shall provide its findings to the Chairs of the House Agriculture, Chesapeake and Natural Resources Committee and Senate Agriculture, Conservation and Natural Resources Committee no later than September 1, 2021.			
378.	Not set out.			
379.	Not set out.			
380.	Not set out.			
380.10	Not set out.			
			<b>\$184,719,790</b>	<b>\$223,294,051</b>
	Total for Department of Environmental Quality.....			
	General Fund Positions.....	413.50	416.50	
	Nongeneral Fund Positions.....	564.50	564.50	
	Position Level.....	978.00	981.00	
	Fund Sources: General.....	\$42,863,491	\$81,437,752	
	Special.....	\$9,578,011	\$9,578,011	
	Enterprise.....	\$13,091,877	\$13,091,877	
	Trust and Agency.....	\$38,274,531	\$38,274,531	
	Dedicated Special Revenue.....	\$51,586,558	\$51,586,558	
	Federal Trust.....	\$29,325,322	\$29,325,322	
381.	Not set out.			
382.	Not set out.			
383.	Not set out.			
384.	Not set out.			
385.	Not set out.			
386.	Not set out.			
386.10	Not set out.			
387.	Not set out.			
388.	Not set out.			
389.	Not set out.			
390.	Not set out.			
390.10	Not set out.			

ITEM 390.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
TOTAL FOR OFFICE OF NATURAL RESOURCES.....			\$493,463,655	<del>\$540,243,113</del> \$544,573,113
General Fund Positions.....	1,022.00	1,036.50		
Nongeneral Fund Positions.....	1,157.00	1,157.00		
Position Level.....	2,179.00	2,193.50		
Fund Sources: General.....	\$209,284,760	<del>\$257,090,159</del> \$257,520,159		
Special.....	\$47,130,378	\$47,215,078		
Commonwealth Transportation.....	\$429,410	\$429,410		
Enterprise.....	\$13,091,877	\$13,091,877		
Trust and Agency.....	\$38,274,531	\$38,274,531		
Dedicated Special Revenue.....	\$120,967,183	<del>\$119,856,542</del> \$123,756,542		
Federal Trust.....	\$64,285,516	\$64,285,516		

ITEM 391.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY**

- 391. Not set out.
- 392. Not set out.
- 393. Not set out.
- 394. Not set out.
- 395. Not set out.

**§ 1-31. DEPARTMENT OF CORRECTIONS (799)**

- 396. Not set out.
- 397. Not set out.
- 397.10 Not set out.
- 398. Not set out.
- 399. Not set out.
- 400. Not set out.

401. Prison Medical and Clinical Services (39700).....			\$229,529,761	\$247,060,267
				\$253,838,582
Comprehensive Healthcare Facility Contract Costs (39701).....	\$79,355,775	\$82,868,740		
		\$76,434,542		
Offsite Healthcare Costs (39702).....	\$28,272,832	\$36,294,698		
		\$29,223,082		
Pharmaceutical Costs (39703).....	\$41,727,190	\$44,525,599		
		\$49,504,357		
Department of Corrections-managed Facility Healthcare Costs (39704).....	\$80,173,964	\$83,371,230		
		\$98,676,601		
Fund Sources: General.....	\$228,042,584	\$245,573,090		
		\$252,351,405		
Special.....	\$566,137	\$566,137		
Federal Trust.....	\$921,040	\$921,040		

Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.

A. Out of this appropriation, \$921,040 the first year and \$921,040 the second year from nongeneral funds is included for inmate medical costs. The sources of the nongeneral funds are an award from the State Criminal Alien Assistance Program, administered by the U.S. Department of Justice.

B. The Department of Corrections shall continue to coordinate with the Department of Medical Assistance Services and the Department of Social Services to enroll eligible inmates in Medicaid. To the extent possible, the Department of Corrections shall work to identify potentially eligible inmates on a proactive basis, prior to the time inpatient hospitalization occurs. Procedures shall also include provisions for medical providers to bill the Department of Medical Assistance Services, rather than the Department of Corrections, for eligible inmate inpatient medical expenses. Due to the multiple payor sources associated with inpatient and outpatient health care services, the Department of Corrections and the Department of Medical Assistance Services shall consult with the

ITEM 401.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
applicable provider community to ensure that administrative burdens are minimized and payment for health care services is rendered in a prompt manner.				
C. Included in the appropriation for this item is funding for the first year and the second year from the general fund for six medical contract monitors. The persons filling these positions shall have the responsibility of closely monitoring the adequacy and quality of inmate medical services in those correctional facilities for which the department has contracted with a private vendor to provide inmate medical services.				
D. The Department of Corrections shall assess the costs, benefits, and feasibility of adopting a "subscription model" for the purchase of Hepatitis C antiviral medication and necessary ancillary services (i) for a pre-determined period of time and (ii) at an annual fixed rate to be administered to state-responsible inmates held in state correctional facilities. The assessment shall include an evaluation of the terms and conditions of models adopted for correctional systems operated by other state and local governments, and the feasibility of implementing such models in Virginia. The scope of this assessment shall not preclude the collection of appropriate non-proprietary information from pharmaceutical manufacturers, if such information is deemed necessary by the department to complete the assessment. The department shall report the findings of its assessment, and any relevant recommendations, to the Secretary of Public Safety and Homeland Security and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 30, 2020.				
E. The workgroup convened pursuant to Item 390, Paragraph R of Chapter 854, 2019 Acts of Assembly, shall be continued. The workgroup shall annually report on the progress and outcomes of the university medical pilots authorized in this Item. The report shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15 of each year.				
402.	Not set out.			
402.10	Not set out.			
	Total for Department of Corrections.....		<b>\$1,382,370,211</b>	<b>\$1,403,222,002</b> <b>\$1,410,000,317</b>
	General Fund Positions.....	12,344.00	12,442.00	
	Nongeneral Fund Positions.....	233.50	233.50	
	Position Level.....	12,577.50	12,675.50	
	Fund Sources: General.....	\$1,311,715,535	<del>\$1,335,567,326</del> <del>\$1,342,345,641</del>	
	Special.....	\$66,084,284	\$63,084,284	
	Dedicated Special Revenue.....	\$2,739,074	\$2,739,074	
	Federal Trust.....	\$1,831,318	\$1,831,318	

**§ 1-32. DEPARTMENT OF CRIMINAL JUSTICE SERVICES (140)**

403.	Not set out.			
404.	Not set out.			
405.	Not set out.			
406.	Financial Assistance for Administration of Justice Services (39000).....		\$150,634,849	<del>\$148,587,958</del> <del>\$149,034,505</del>
	Criminal Justice Assistance Grants (39002).....	\$141,622,430	\$139,270,230	
	Criminal Justice Grants Fiscal Management Services (39003).....	\$685,074	\$741,969	
	Criminal Justice Policy and Program Services (39004).....	\$8,327,345	<del>\$8,575,759</del> <del>\$9,022,306</del>	

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Fund Sources: General.....	\$56,724,275	<del>\$50,677,384</del> \$51,123,931		
Special.....	\$6,624	\$6,624		
Trust and Agency.....	\$4,298,130	\$4,298,130		
Dedicated Special Revenue.....	\$13,605,820	\$13,605,820		
Federal Trust.....	\$76,000,000	\$80,000,000		

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

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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), \$2,786,144 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, \$26,540,378 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.				



ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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 <i>and \$446,547 the second year from the general fund</i> is provided, to be distributed as follows: for the Southern Virginia Internet</p>				

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Crimes Against Children Task Force, \$1,450,000 the first year and <del>\$1,450,000</del> \$1,896,547 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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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</p>				

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	<p>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.</p>			
	<p>N. Out of the appropriation in this item, \$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 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.</p>			
	<p>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.</p>			
	<p>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.</p>			
	<p>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.</p>			
	<p>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.</p>			
	<p>3. Any distributions made to a local law enforcement agency under this paragraph shall require a 50 percent match from local fund sources.</p>			
	<p>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.</p>			
	<p>T. Included in the appropriation for this item is \$250,000 the second year from the general fund as a one-time appropriation for the Big H.O.M.I.E.S. program.</p>			
407.	Not set out.			
408.	Not set out.			

ITEM 409.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
409.	Not set out.				
409.10	Not set out.				
	Total for Department of Criminal Justice Services.....			\$370,204,405	\$361,049,982 \$361,496,529
	General Fund Positions.....	74.50	80.50 81.50		
	Nongeneral Fund Positions.....	74.50	76.50 81.50		
	Position Level.....	149.00	157.00 163.00		
	Fund Sources: General.....	\$265,801,659	\$252,647,236 \$253,093,783		
	Special.....	\$10,498,796	\$10,498,796		
	Trust and Agency.....	\$4,298,130	\$4,298,130		
	Dedicated Special Revenue.....	\$13,605,820	\$13,605,820		
	Federal Trust.....	\$76,000,000	\$80,000,000		

**§ 1-33. DEPARTMENT OF EMERGENCY MANAGEMENT (127)**

410.	Not set out.				
411.	Emergency Response and Recovery (77600).....			\$33,919,311	\$44,172,106 \$32,265,178
	Emergency Response and Recovery Services (77601).....	\$2,798,230	\$2,798,230 \$2,846,664		
	Financial Assistance for Emergency Response and Recovery (77602).....	\$20,189,470	\$20,189,470		
	Emergency Response Direct Support (77603).....	\$102,604	\$102,604		
	Disaster Recovery Services (77604).....	\$10,829,007	\$21,081,802 \$9,126,440		
	Fund Sources: General.....	\$11,322,951	\$21,575,746 \$9,620,384		
	Special.....	\$306,340	\$306,340		
	Commonwealth Transportation.....	\$1,295,713	\$1,295,713 \$1,344,147		
	Federal Trust.....	\$20,994,307	\$20,994,307		

Authority: Title 44, Chapters 3.2 through 3.5, §§ 44-146.17, 44-146.18(c), 44-146.22, 44-146.28(a) Code of Virginia.

A. Subject to authorization by the Governor, the Department of Emergency Management may employ persons to assist in response and recovery operations for emergencies or disasters declared either by the President of the United States or by the Governor of Virginia. Such employees shall be compensated solely with funds authorized by the Governor or the federal government for the emergency, disaster, or other specific event for which their employment was authorized. The Director, Department of Planning and Budget, is authorized to increase the agency's position level based on the number of positions approved by the Governor.

B. The Secretary of Finance, consistent with any Executive Order signed by the Governor, may provide the department anticipation loans in such amounts as may be needed to appropriately reimburse localities and state agencies for costs associated with Emergency Management Assistance Compact (EMAC) mission assignments. Such loans shall be based on the reimbursements anticipated under the Emergency Management Assistance Compact (EMAC) and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months.

C.1. Localities receiving reimbursements from the department for Emergency Management Assistance Compact (EMAC) mission costs shall reimburse the Department of Emergency Management for any overpayments within sixty (60) days of written notification of such

ITEM 411.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
overpayment.				
2. Overpayment amounts shall be based on the difference between the amount reimbursed to the locality by the Department of Emergency Management and the amount reimbursed to the Department of Emergency Management by the state requesting emergency aid under the Compact.				
3. If the locality does not reimburse the Department of Emergency Management the overpaid amount within sixty (60) days of being notified, the Comptroller is authorized to withhold from any funds to be transferred to the locality the amount overpaid to the locality and transfer such withheld funds to the Department of Emergency Management.				
D. Consistent with any Executive Order signed by the Governor, the Secretary of Finance or his designee may provide the department anticipation loans in such amounts as may be needed to appropriately reimburse the department for disaster related costs. Such loans shall be based on the federal reimbursements anticipated in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months, if necessary.				
E. Out of this appropriation, \$10,821,506 the first year and <del>\$21,074,301</del> \$9,118,939 the second year from the general fund is provided for coordinating response and recovery efforts related to the COVID-19 pandemic. Funding shall be used for but is not limited to the pandemic response purposes listed below:				
1. <del>\$11,624,471</del> \$6,084,863 the second year is provided for the purchase, storage, and distribution of personal protective equipment (PPE) to fulfill requests received through the Virginia Emergency Support Team and the Unified Command;				
2. \$569,833 the first year and <del>\$569,833</del> \$333,800 the second year is provided for continuing operations of the Joint Information Center including coordinating disaster communications in a COVID-19 environment and broadcasting official press conferences;				
3. \$8,050,173 the first year and <del>\$6,678,497</del> \$2,700,276 the second year is provided for continuing operations of the Virginia Emergency Operations Center (VEOC) including costs related to staff augmentation, various consultant services, and supporting virtual operation of the VEOC; and				
4. \$2,201,500 the first year and <del>\$2,201,500</del> the second year is provided for contracts that support the Health Equity Work Group as it develops COVID-19 response and recovery plans focused on diversity, equity and inclusion.				
5. The department, with appropriate documentation, may move the funds listed in subparagraphs 1, 2, 3, and 4 above to any other purpose listed above or for other COVID-19 pandemic response efforts.				
6. The department shall maintain sufficient records and documentation to report the specific use of these funds. No later than August 15, 2021, the department shall report the use of these funds in FY 2021 along with an estimate of the proposed use of the funding appropriated in FY 2022 and any additional funds that may be required to respond to the COVID-19 pandemic to the Governor, the Chairperson of the House Appropriations Committee, the Chairperson of the Senate Finance and Appropriations Committee, and the Director of the Department of Planning and Budget.				
412. Not set out.				
413. Not set out.				
414. Not set out.				
414.10 Not set out.				
414.20 Not set out.				

ITEM 414.30.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
414.30 Not set out.				
Total for Department of Emergency Management.....			<b>\$102,978,463</b>	<b>\$116,795,948</b> <b>\$104,889,020</b>
General Fund Positions.....	45.85	55.85		
Nongeneral Fund Positions.....	133.15	136.15		
Position Level.....	179.00	192.00		
Fund Sources: General.....	\$20,767,247	<del>\$34,269,142</del> \$22,313,780		
Special.....	\$3,211,934	\$3,211,934		
Commonwealth Transportation.....	\$1,359,475	<del>\$1,359,475</del> \$1,407,909		
Dedicated Special Revenue.....	\$25,684,099	\$25,761,917		
Federal Trust.....	\$51,955,708	\$52,193,480		

**§ 1-34. DEPARTMENT OF FIRE PROGRAMS (960)**

415.	Not set out.			
416.	Not set out.			
417.	Regulation of Structure Safety (56200).....		\$3,093,597	<del>\$3,093,597</del> \$3,136,597
	State Fire Prevention Code Administration (56203)....	\$3,093,597		
	Fund Sources: General.....	\$2,533,475	<del>\$2,533,475</del> \$2,576,475	
	Special.....	\$560,122	\$560,122	
	Authority: §§ 9.1-201, 9.1-206, and 27-94 through 27-99, Code of Virginia.			
	The State Fire Marshal may charge no fee for any permits or inspections of any school, whether it be public or private.			
417.10	Not set out.			
	Total for Department of Fire Programs.....		<b>\$46,900,955</b>	<b>\$48,819,915</b> <b>\$48,862,915</b>
	General Fund Positions.....	29.25	29.25	
	Nongeneral Fund Positions.....	49.75	49.75	
	Position Level.....	79.00	79.00	
	Fund Sources: General.....	\$2,533,475	<del>\$2,533,475</del> \$2,576,475	
	Special.....	\$44,117,480	\$46,036,440	
	Federal Trust.....	\$250,000	\$250,000	

418. Not set out.

418.10 Not set out.

419. Not set out.

420. Not set out.

421. Not set out.

422. Not set out.

ITEM 423.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
423.	Not set out.				
424.	Not set out.				

**§ 1-35. DEPARTMENT OF STATE POLICE (156)**

425.	Information Technology Systems, Telecommunications and Records Management (30200).....			\$74,409,713	\$87,636,387
	Information Technology Systems and Planning (30201).....	\$24,959,098	\$38,928,906		
	Criminal Justice Information Services (30203).....	\$10,215,226	\$10,652,694		
	Telecommunications and Statewide Agencies Radio System (STARS) (30204).....	\$19,207,356	\$19,207,356		
	Firearms Purchase Program (30206).....	\$4,050,827	\$2,870,225		
	Sex Offender Registry Program (30207).....	\$3,232,979	\$3,232,979		
	Concealed Weapons Program (30208).....	\$321,352	\$321,352		
	Dispatch and Telecommunications Support (30209).....	\$12,422,875	\$12,422,875		
	Fund Sources: General.....	\$63,986,631	\$77,213,305		
	Special.....	\$5,942,231	\$5,942,231		
	Dedicated Special Revenue.....	\$3,716,561	\$3,716,561		
	Federal Trust.....	\$764,290	\$764,290		

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.

ITEM 425.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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.				
<i>3. The Department of State Police shall, upon request, provide to the Department of Health 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, 19.2-182.2 and 64.2-2014, Code of Virginia, to enable the Department of Health to link the data held pursuant to those provisions with other relevant data held by the Commonwealth. Once received, the Department of Health will provide the linked data to the Department of Juvenile Justice for de-identification and 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.</i>				
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-				



ITEM 425.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
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 in the appropriation for this Item is \$1,147,694 the first year and \$5,209,045 the second year from the general fund to implement Phase I transformation of select components of the department's information technology in order to comply with §2.2-2011 of the Code of Virginia.				
Q. Included in the appropriation for this item is \$12,581,520 the second year from the general fund for the one-time update and replacement of information technology systems required to implement an automatic expungement process pursuant to legislation adopted by the 2021 Session of the General Assembly.				
R. Included in the appropriation for this item is \$438,464 the second year from the general fund and four positions for the ongoing costs of operating an automatic expungement process pursuant to legislation adopted by the 2021 Session of the General Assembly.				
S. The Superintendent of State Police shall report on the feasibility of establishing a registry for determining eligibility to lawfully possess a firearm for on-site rental use at a sport shooting range, based on existing state and federal laws concerning possession of firearms by persons with a history of mental illness. The report shall consider, at a minimum: (i) the information technology changes needed to collect the necessary information to determine if the renter of a firearm for on-site use is prohibited from possessing a firearm under any applicable state or federal law; (ii) the appropriate form or mechanism for collection of information to determine the mental health and criminal history of customers of sport shooting ranges; (iii) the reasonable timeline by which the registry can be implemented; and (iv) any necessary costs for implementation of a mental health background check registry for on-site firearms rentals. The department shall report to the General Assembly on the information required in this paragraph by September 30, 2021.				
T. Out of this appropriation, \$301,194 the second year from the general fund is provided to the Department of State Police for three positions for cold case investigators to support efforts to resolve such cases.				
426.	Not set out.			
427.	Not set out.			
428.	Not set out.			
428.10	Not set out.			
	Total for Department of State Police.....		<b>\$397,009,469</b>	<b>\$418,742,845</b>
	General Fund Positions.....	2,665.00	2,674.00	
	Nongeneral Fund Positions.....	397.00	397.00	
	Position Level.....	3,062.00	3,071.00	
	Fund Sources: General.....	\$326,869,064	\$348,386,281	
	Special.....	\$38,003,522	\$37,744,681	

ITEM 428.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Commonwealth Transportation.....	\$9,083,587	\$9,083,587		
Dedicated Special Revenue.....	\$13,917,381	\$14,392,381		
Federal Trust.....	\$9,135,915	\$9,135,915		
429. Not set out.				
429.10 Not set out.				
TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.....			<b>\$3,497,697,592</b>	<b>\$3,612,800,958</b>
				<b>\$3,608,161,892</b>
General Fund Positions.....	17,661.10	<del>17,788.10</del> 17,789.10		
Nongeneral Fund Positions.....	2,369.90	<del>2,487.90</del> 2,492.90		
Position Level.....	20,031.00	<del>20,276.00</del> 20,282.00		
Fund Sources: General.....	\$2,205,978,062	<del>\$2,254,848,975</del> \$2,250,161,475		
Special.....	\$166,781,345	\$165,006,186		
Commonwealth Transportation.....	\$10,443,062	<del>\$10,443,062</del> \$10,491,496		
Enterprise.....	\$904,063,666	\$967,289,351		
Trust and Agency.....	\$4,298,130	\$4,298,130		
Dedicated Special Revenue.....	\$55,994,374	\$56,547,192		
Federal Trust.....	\$150,138,953	\$154,368,062		

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**OFFICE OF TRANSPORTATION**

**§ 1-36. SECRETARY OF TRANSPORTATION (186)**

430.	Administrative and Support Services (79900).....			\$953,895	\$953,895
	General Management and Direction (79901).....	\$953,895	\$953,895		
	Fund Sources: Commonwealth Transportation.....	\$953,895	\$953,895		

Authority: Title 2.2, Chapter 2, Article 10, § 2.2-201, and Titles 33, 46, and 58, Code of Virginia.

A. The transportation policy goals enumerated in this act shall be implemented by the Secretary of Transportation, including the secretary acting as Chairman of the Commonwealth Transportation Board.

1. The maintenance of existing transportation assets to ensure the safety of the public shall be the first priority in budgeting, allocation, and spending. The highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

2. It is in the interest of the Commonwealth to have an efficient and cost-effective transportation system that promotes economic development and all modes of transportation, intermodal connectivity, environmental quality, accessibility for people and freight, and transportation safety. The planning, development, construction, and operations of Virginia's transportation facilities will reflect this goal.

3. To the greatest extent possible, the appropriation of transportation revenues shall reflect planned spending of such revenues by agency and by program.

B. The maximization of all federal transportation funds available to the Commonwealth shall be paramount in the budgetary, spending, and allocation processes.

1. Notwithstanding any provision of law to the contrary, the secretary and all agencies within the transportation secretariat are hereby authorized to take all actions necessary to ensure that federal transportation funds are allocated and utilized for the maximum benefit of the Commonwealth, whether such actions or funds or both are authorized under *P.L. 117-58 of the 117th Congress* ~~*P.L. 114-94 of the 114th Congress*~~, or any successor or related federal transportation legislation, or regulation, rule, or guidance issued by the U.S. Department of Transportation or any federal agency. The secretary and agencies within the transportation secretariat shall utilize, to the maximum extent practicable, the flexibility provided in federal law, regulation, rule, or guidance to use federal funds in a manner consistent with the Code of Virginia. However, neither the secretary nor an agency in the transportation secretariat may materially delay a project selected pursuant to § 33.2-214.1, Code of Virginia, under the authority in this paragraph.

2. The secretary shall ensure that the allocation of transportation funds apportioned and for which obligation authority is expected to be available under federal law shall be in accordance with such laws and in support of the transportation policy goals enumerated in section A. of this Item. Furthermore, the secretary is authorized to take all actions necessary to allocate the required match for federal highway funds to ensure their appropriate and timely obligation and expenditure within the fiscal constraints of state transportation revenues and in support of the efforts addressed in B.1. By June 1 of each year, the secretary, as Chairman of the Board, shall report to the Governor and General Assembly on the allocation of such federal transportation funds and the actions taken to provide the required match.

3. The board shall only make allocations providing the required match for federal Regional Surface Transportation Block Grant Program funds to those Metropolitan Planning Organizations in urbanized areas greater than 200,000 that, in consultation with the Office of Intermodal Planning and Investment, have developed regional transportation and land use performance measures pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly and have been approved by the board.

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
4. Projects funded, in whole or part, from federal funds referred to as congestion mitigation and air quality improvement, shall be selected as directed by the board. Such funds shall be federally obligated within 12 months of their allocation by the board and expended within 36 months of such obligation. If the requirements included in this paragraph are not met by such agency or recipient, then the board shall use such federal funds for any other project eligible under 23 USC 149.				
5. Funds made available to the Metropolitan Planning Organizations known as the Regional Surface Transportation Block Grant Program for urbanized areas greater than 200,000 shall be federally obligated within 12 months of their allocation by the board and expended within 36 months of such obligation. If the requirements included in this paragraph are not met by the recipient, then the board may rescind the required match for such federal funds.				
6. Notwithstanding paragraph B.2. of this Item, the required matching funds for Transportation Alternatives projects are to be provided by the project sponsor of the federal-aid funding.				
7. Federal transportation funds as well as the required state matching funds may be allocated by the Commonwealth Transportation Board for transit purposes under the same rules and conditions authorized by federal law in a manner consistent with the Code of Virginia. The Commonwealth Transportation Board, in consultation with the appropriate local and regional entities, may allocate state revenues to local and regional public transit operators, for operating and/or capital purposes.				
8. If a regional area (or areas) of the Commonwealth is determined to be not in compliance with Clean Air Act rules regarding conformity and as a result federal and/or state allocations, apportionments or obligations cannot be used to fund or support transportation projects or programs in that area, such funds may be used to finance demand management, conformity, and congestion mitigation projects to the extent allowed by federal law. Any remaining amount of such allocations, apportionments, or obligations shall be set aside to the extent possible under law for use in that regional area.				
9. Appropriations in this act related to federal revenues outlined in this section may be adjusted by the Director, Department of Planning and Budget, upon request from the Secretary of Transportation, as needed to utilize and allocate additional federal funds that may become available.				
10. The secretary shall ensure that any bonds issued pursuant to Article 4, Chapter 15 of Title 33.2 shall be programmed to eligible projects selected and funded through the High Priority Projects Program pursuant to § 33.2-370 or the Construction District Grant Program pursuant to §33.2-371. In any year such bond proceeds are allocated to one or both of the programs, the secretary shall take all necessary action to ensure that each program is provided with the same overall amount of monies though the mix of bond proceeds, state revenues, and federal revenues provided to each program may vary as deemed appropriate by the secretary.				
<i>11. The Commonwealth Transportation Board, with the assistance of the Virginia Department of Transportation, shall develop a plan for the allocation of funds made available through a bridge replacement, rehabilitation, preservation, protection and construction program established pursuant to the Infrastructure Investment and Jobs Act. Such plan shall include (i) an investment strategy that provides for long-term sustainable performance of the Commonwealth's bridges, (ii) allocation of funds without regard to whether a structure is state-maintained or locally-maintained, and (iii) be developed considering the investment strategy and outcomes of the comprehensive review of pavements and bridges submitted to the Governor and General Assembly pursuant to the second enactment of Chapters 83 and 349 of the 2019 Acts of Assembly</i>				
<i>12. The Commonwealth Transportation Board shall develop a plan for the use of funds made available through the National Electric Vehicle Formula Program established by the Infrastructure Investment and Jobs Act by the deadline established by the United States Secretary of Transportation. The plan shall consider designated national electric vehicle charging corridors, opportunities to partner with private parties, and other factors included in federal guidance for such program.</i>				
C. The secretary may ensure that appropriate action is taken to maintain a minimum cash				

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

balance and/or cash reserve in the Highway Maintenance and Operating Fund.

D.1. The Office of Intermodal Planning and Investment shall recommend to the Commonwealth Transportation Board all allocations of funds made available in subsections A. and B. of Item 446. The planning and evaluation may be conducted or managed by the Department of Transportation, Department of Rail and Public Transportation, or another qualified entity selected and/or approved by the Commonwealth Transportation Board.

2. The office shall be responsible for implementing the statewide prioritization ~~process~~ *processes* pursuant to § 33.2-214.1 and § 33.2-372 for the Commonwealth Transportation Board.

3. The office shall work directly with affected Metropolitan Planning Organizations to develop and implement quantifiable and achievable goals relating to congestion reduction and safety, transit and HOV usage, job/housing ratios, job and housing access to transit and pedestrian facilities, air quality, and/or per-capita vehicle miles traveled pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly.

4. For allocation of funds under Paragraph 1, the office may give a higher priority for planning grants to (i) regional organizations to analyze various land development scenarios for their long range transportation plans, (ii) local governments to revise their comprehensive plans and other applicable local ordinances to designate urban development areas pursuant to Chapter 896 of the 2007 Acts of Assembly and incorporate the principles included in such act, and (iii) local governments, regional organizations, transit agencies and other appropriate entities to develop plans for transit oriented development and the expansion of transit service. Such analyses, plans, and ordinances shall be shared with the regional planning district commission or metropolitan planning organization and the Commonwealth Transportation Board.

E.1. The Commonwealth Transportation Board is hereby authorized to apply for, execute, and/or endorse applications submitted by private entities or political subdivision of the Commonwealth to obtain federal credit assistance for one or more qualifying transportation infrastructure projects or facilities to be developed pursuant to the Public-Private Transportation Act of 1995, as amended. Any such application, agreement and/or endorsement shall not financially obligate the Commonwealth or be construed to implicate the credit of the Commonwealth as security for any such federal credit assistance.

2. The Commonwealth Transportation Board is hereby authorized to pursue or otherwise apply for, and execute, an agreement to obtain financing using a federal credit instrument for project financings otherwise authorized by this Act or other Acts of Assembly.

F. Revenues generated pursuant to the provisions of § 58.1-3221.3, Code of Virginia, shall only be used to supplement, not supplant, any local funds provided for transportation programs within the localities authorized to impose the fees under the provisions of § 58.1-3221.3, Code of Virginia.

G. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds which were authorized in a prior fiscal year but not issued, pursuant to Section 2 of Enactment Clause 2 of Chapter 896 of the 2007 General Assembly Session.

H. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Federal Transportation Grant Anticipation Revenue Notes.

~~F. In programming funds for the reconstruction and rehabilitation of structurally deficient bridges pursuant to § 33.2-358 C.(i), Code of Virginia, the Commonwealth Transportation Board shall consider both state and locally-owned bridges.~~

J. All revenues generated under Chapter 896 of the Acts of Assembly of 2007 (HB 3202) and Chapter 766 of the Acts of Assembly of 2013 (HB 2313), *Chapters 837 and 846 of the 2019 Acts of Assembly, and Chapters 1230 and 1275 of the 2020 Acts of Assembly* that were dedicated to transportation-related funds have been appropriated in conformity with

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

the requirements of those respective chapters.

K. Notwithstanding § 33.2-502, Code of Virginia, the high-occupancy requirement for a HOT lane facility that is constructed as a result of the Public-Private Transportation Act (§ 33.2-1800 et. seq.) (i) with an initial construction cost in excess of \$3 billion and whose operation, maintenance, or financing is not a result of the same comprehensive agreement that resulted in the facility's construction shall be not less than two-, or (ii) that is located on the same Interstate corridor and partially located within the same urbanized areas.

L. In recognition of the funds provided in subsection B 6 of Item 447.10, the Department of Rail and Public Transportation shall use \$3,600,000 in the second year from the Transit Ridership Incentive Program for regional connectivity programs focused on congestion reduction and mitigation through provision of long-distance commuter routes. The Secretary shall provide to the Chairs of House Appropriations, Senate Finance and Appropriations, House Transportation and Senate Transportation Committees the methodology used and the distributions of such funds to transit systems by June 30, 2022.

M. It is the intent of the General Assembly that the Secretary of Transportation and the Secretary of Natural Resources, in consultation with the Chairs of the House Appropriations, Senate Finance and Appropriations, House Transportation, Senate Transportation, House Agriculture, Chesapeake and Natural Resources, and Senate Agriculture, Conservation and Natural Resources Committees, and counties containing subject outfalls, shall evaluate the scope of drainage outfalls across the Commonwealth originating from Virginia Department of Transportation (VDOT) maintained roads with no assigned maintaining entity, and recommend cost-effective solutions and means by which to fund maintenance of such outfalls. The Secretaries shall provide an interim report detailing their evaluation to the aforementioned committee chairs no later than December 31, 2020 and a final report of their findings, if not included in the December report, by September 30, 2021.

N. Prior to the execution of any Memorandum of Understanding on behalf of the Commonwealth of Virginia for participation in the construction of any potential improvements to the bridge and related railroad infrastructure located between the Rosslyn (RO) Interlocking near Long Bridge Park in Arlington, Virginia and the L'Enfant (LE) Interlocking near 10th Street SW in Washington, D.C., or prior to the authorization for the issuance of any bonds or the sale of any land by the Virginia Passenger Rail Authority, as may be established by legislation adopted by the 2020 Session of the General Assembly that becomes law, the Secretary of Transportation shall present, for their review, to the MEI Project Approval Commission established pursuant to Chapter 47 (§ 30-309 et seq.) of Title 30, a draft of any Memorandum of Understanding, any proposed bond issuance, or contract related to the sale of land, or the terms of any agreement between or among any political subdivision of the Commonwealth of Virginia, any political subdivision of the United States, federal government agency, the National Passenger Railroad Corporation, a commuter rail service jointly operated by the Northern Virginia Transportation District established pursuant to § 33.2-1904 and the Potomac Rappahannock Transportation District established pursuant to the Transportation District Act (§ 33.2-1900 et seq.), and any Class I private railroad corporation.

O.1. Notwithstanding § 33.2-214, the Six-Year Improvement Program adopted June 19, 2019, and as amended shall remain in effect through June 30, 2021, or until a new Six-Year Improvement Program is adopted that is based on the official Commonwealth Transportation Fund revenue forecast reflecting the impacts of COVID-19 pandemic.

2. Notwithstanding any other provisions of law, the assistance provided for fiscal year 2021 under Item 442 A.1.a and A.1.c may be maintained up to the levels allocated in the Six Year Improvement Program approved by the Commonwealth Transportation Board on June 19, 2019 until a Six-Year Improvement Program is adopted pursuant to paragraph O.1. of this item.

P. It is the intent of the General Assembly that the Commonwealth Transportation Board shall take steps necessary to address the reduction in revenues available for the Commonwealth Transportation Fund pursuant to § 33.2-1524, Code of Virginia, in a manner to reduce the impacts on currently programmed projects and to allow for a phased implementation of the additional revenues made available by Chapters 1230 and 1275 of the 2020 Acts of Assembly.

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
1. The Commonwealth Transportation Board may utilize Revenue Sharing Funds allocated to a project in fiscal year 2020 or previous fiscal years that is not currently needed to support the project based on the project's current schedule to increase the funding available to the Commonwealth Transportation Fund (CTF) for distribution to the funds and programs supported by the CTF to help mitigate the impacts of the reduced revenues resulting from COVID-19 and reflected in the August 2020 Official Revenue Forecast. Any project allocations utilized will be replaced in the year or years needed to maintain the project's current schedule, but no later than FY 2024, from funds made available pursuant to § 33.2-357, Code of Virginia.				
2. The Commonwealth Transportation Board may utilize Revenue Sharing Funds provided in FY 2020 or prior fiscal years that were not allocated to a specific revenue sharing project as of June 30, 2020, to increase the funding available to the Commonwealth Transportation Fund (CTF) for distribution to the funds and programs supported by the CTF to help mitigate the impacts of the reduced revenues resulting from COVID-19 and reflected in the August 2020 Official Revenue Forecast.				
3. The Commonwealth Transportation Board may utilize amounts allocated to a project through the State of Good Repair, High Priority Projects and District Grant Programs included in the FY2020-2025 Six-Year Improvement Program not needed in the year provided to support the project based on the project's current schedule to increase the funding available to the Commonwealth Transportation Fund (CTF) for distribution to the funds and programs supported by the CTF to help mitigate the impacts of the reduced revenues resulting from COVID-19 and reflected in the August 2020 Official Revenue Forecast. Any project allocations utilized shall be replaced in the year or years needed to maintain the project's schedule, provided that any funding shall be replaced no later than fiscal year 2025 from funds available in the Commonwealth Transportation Fund.				
4. That notwithstanding enactment clauses 11 and 13 of Chapters 1230 and 1275 of the 2020 Acts of Assembly, the Commonwealth Transportation Board (i) shall take actions deemed necessary in fiscal years 2021, 2022 and 2023 to ensure appropriate coverage ratios for any outstanding debt backed by the Transportation Trust Fund and (ii) shall distribute available funds, taking into consideration the impacts of the reduced revenues resulting from COVID-19 and reflected in the August 2020 Official Revenue Forecast, to the modal programs and the highway maintenance and operating fund in such a manner as to protect core programs, services, and existing projects, and to provide funding for the purposes set forth in §§ 33.2-372 and 33.2-373, Code of Virginia.				
5. The Commonwealth Transportation Board may for fiscal year 2021 reduce the funding available pursuant to subdivisions D 2, D 4 and D 5 of § 33.2-1526.1, Code of Virginia, to increase the funding available for the purposes of subdivision D 1 and D 3 of § 33.2-1526.1, Code of Virginia.				
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.				
Q. It is the intent of the General Assembly that state funds in the Commonwealth Transportation Fund and federal funds provided on a recurring, non-one-time basis, for surface transportation be distributed and allocated at the discretion of the entities				

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
responsible for such funds based on the policy direction and requirements set forth in the Code of Virginia.				
R. Notwithstanding the provisions of § 33.2-3603, Code of Virginia, the I-81 Advisory Committee shall be required to meet at a minimum of two times a year, with additional meetings called at the discretion of the Chair.				
			<b>\$953,895</b>	<b>\$953,895</b>
	Total for Secretary of Transportation.....			
	Nongeneral Fund Positions.....	6.00	6.00	
	Position Level.....	6.00	6.00	
	Fund Sources: Commonwealth Transportation.....	\$953,895	\$953,895	
431.	Not set out.			

**§ 1-37. DEPARTMENT OF AVIATION (841)**

432.	Not set out.			
433.	Not set out.			
434.	State Aircraft Flight Operations (65600).....		\$2,958,246	\$2,958,246
	State Aircraft Operations and Maintenance (65602)....	\$2,958,246	\$2,958,246	
	Fund Sources: General.....	\$30,246	\$30,246	
	Commonwealth Transportation.....	\$2,928,000	\$2,928,000	
Authority: Title 5.1, Chapter 1, Code of Virginia.				
<i>Pursuant to § 5.1-4 of the Code of Virginia, the Department of Aviation is authorized to purchase a jet aircraft using Aviation Special Funds to replace one existing King Air 350 aircraft. The department is directed to either trade-in or sell the King Air 350 aircraft to reduce financing requirements. Any proceeds related to a sale of the King Air 350 shall be retained by the department and used toward this purchase.</i>				
435.	Not set out.			
	Total for Department of Aviation.....		<b>\$39,986,870</b>	<b>\$42,792,425</b>
	Nongeneral Fund Positions.....	37.00	37.00	
	Position Level.....	37.00	37.00	
	Fund Sources: General.....	\$30,246	\$30,246	
	Commonwealth Transportation.....	\$39,456,624	\$42,056,624	
	Federal Trust.....	\$500,000	\$705,555	

**§ 1-38. DEPARTMENT OF MOTOR VEHICLES (154)**

436.	Ground Transportation Regulation (60100).....		\$216,673,180	\$216,673,180
	Customer Service Centers Operations (60101).....	\$156,643,065	\$156,643,065	
	Ground Transportation Regulation and Enforcement (60103).....	\$45,505,878	\$45,505,878	
	Motor Carrier Regulation Services (60105).....	\$14,524,237	\$14,524,237	
	Fund Sources: Commonwealth Transportation.....	\$209,226,580	\$209,226,580	
	Trust and Agency.....	\$5,446,600	\$5,446,600	
	Federal Trust.....	\$2,000,000	\$2,000,000	

Authority: Title 46.2, Chapters 1, 2, 3, 6, 8, 10, 12, 15, 16, and 17; §§ 18.2-266 through 18.2-272; Title 58.1, Chapters 21 and 24, Code of Virginia. Title 33, Chapter 4, United States Code.

A. The Commissioner, Department of Motor Vehicles, is authorized to establish, where



<b>ITEM 436.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2021</b>	<b>FY2022</b>	<b>FY2021</b>	<b>FY2022</b>

feasible and cost efficient, contracts with private/public partnerships with commercial operations, to provide for simplification and streamlining of service to citizens through electronic means. Provided, however, that such commercial operations shall not be entitled to compensation as established under § 46.2-205, Code of Virginia, but rather at rates limited to those established by the commissioner.

B. The Department of Motor Vehicles shall work to increase the use of alternative service delivery methods, which may include offering discounts on certain transactions conducted online, as determined by the department. As part of its effort to shift customers to internet usage where applicable, the department shall not charge its customers for the use of credit cards for internet or other types of transactions; however, this restriction shall not apply with respect to any credit or debit card transactions the department conducts on behalf of another agency, provided (i) the other agency is authorized to charge customers for the use of credit or debit cards and (ii) the merchant's fees and other transaction costs imposed by the card issuer are charged to the department.

C. In order to provide citizens of the Commonwealth greater access to the Department of Motor Vehicles, the agency is authorized to enter into an agreement with any local constitutional officer or combination of officers to act as a license agent for the department, with the consent of the chief administrative officer of the constitutional officer's county or city, and to negotiate a separate compensation schedule for such office other than the schedule set out in § 46.2-205, Code of Virginia. Notwithstanding any other provision of law, any compensation due to a constitutional officer serving as a license agent shall be remitted by the department to the officer's county or city on a monthly basis, and not less than 80 percent of the sums so remitted shall be appropriated by such county or city to the office of the constitutional officer to compensate such officer for the additional work involved with processing transactions for the department. Funds appropriated to the constitutional office for such work shall not be used to supplant existing local funding for such office, nor to reduce the local share of the Compensation Board-approved budget for such office below the level established pursuant to general law.

D. The base compensation for DMV Select Agents shall be set at 4.5 percent of gross collections for the first \$500,000 and 5.0 percent of all gross collections in excess of \$500,000 made by the entity during each fiscal year on such state taxes and fees in place as a matter of law. The commissioner shall supply the agents with all necessary agency forms to provide services to the public, and shall cause to be paid all freight and postage, but shall not be responsible for any extra clerk hire or other business-related expenses or business equipment expenses occasioned by their duties.

E. Out of the amounts identified in this Item, an amount estimated at \$372,006 the first year and \$372,006 the second year from the Commonwealth Transportation Fund shall be paid to the Washington Metropolitan Area Transit Commission.

F.1. Notwithstanding any other provision of law, the department shall assess a minimum fee of \$15 for all titles. The revenue generated from this fee shall be set aside to meet the expenses of the department.

2. Notwithstanding any other provision of law, the department shall assess a \$10 late fee on all registration renewal transactions that occur after the expiration date. The late fee shall not apply to those exceptions granted under § 46.2-221.4, Code of Virginia. In assessing the late renewal fee the department shall provide a ten day grace period for transactions conducted by mail to allow for administrative processing. This grace period shall not apply to registration renewals for vehicles registered under the International Registration Plan. The revenue generated from this fee shall be set aside to meet the expenses of the department.

3. Notwithstanding any other provision of law, the department shall establish a \$20 minimum fee for original driver's licenses and replacements. The revenue generated from this fee shall be set aside to meet the expenses of the department.

G. The Department of Motor Vehicles is hereby granted approval to renew or extend existing capital leases due to expire during the current biennium for existing customer service centers.

ITEM 436.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
H. The Department of Motor Vehicles is hereby appropriated revenues from the additional sales tax on fuel in certain transportation districts to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-2295, Code of Virginia.				
I. The Commissioner of the Department of Motor Vehicles, in consultation with the Commissioner of Highways, shall take such steps as may be necessary to expand access to the E-ZPass program through its customer service channels using such locations and methods as are practicable.				
J. The Department of Motor Vehicles is hereby granted approval to distribute the transactional charges of the Cardinal accounting system to state agencies, when the transactions involve funds passed through the department to the benefiting agency. This paragraph shall not pertain to Direct Aid to Public Education.				
K. The Department of Motor Vehicles is hereby granted approval to distribute a portion of its indirect cost allocation charge to another state agency when the charge is related to revenue collected and transferred by the department to the state agency. Such transfers shall be based on the agency's proportionate share of the department's total transactions in the immediately preceding fiscal year. The Department shall annually submit to the Department of Planning and Budget a summary of the transfer amounts and the transaction volumes used to allocate the internal cost amounts.				
L. Notwithstanding § 46.2-688, Code of Virginia, the Department of Motor Vehicles shall not be required to refund a proration of the total cost of a motor vehicle registration when less than six months remain in the registration period. Any resulting savings shall be retained and used to meet the expenses of the Department.				
M. Notwithstanding § 46.2-342, Code of Virginia, the Department of Motor Vehicles shall not be required to include organ donation brochures with every driver's license renewal notice or application mailed to licensed drivers.				
N. The Commissioner shall only refuse to issue or renew any vehicle registration pursuant to subsection L of § 46.2-819.3:1 of an operator or owner of a vehicle who has no prior resolution, whether that resolution is by settlement or conviction, for offenses under § 46.2-819.3:1 if, in addition to the conditions set forth in subsection L of § 46.2-819.3:1 for such refusal, the toll operator has offered the individual a settlement of no more than \$2,200.				
O. The Department is authorized to impose a \$10 surcharge on all first issuances of REAL ID compliant credentials that are acceptable for federal purposes.				
P. Notwithstanding any other provision of law, for the duration of a declared 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 may extend the validity or delay the cancellation of driver's licenses, special identification cards, and vehicle registrations, the time frame during which a driver improvement clinic or payment plan must be completed, the maximum number of days of residency permitted before a new resident must be licensed in Virginia pursuant to § 46.2-308, Code of Virginia, to operate a motor vehicle in the Commonwealth, and the time frame during which a new resident may operate a motor vehicle in the Commonwealth which has been duly registered in another jurisdiction before registering the vehicle in the Commonwealth.				
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.				
R. 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				

ITEM 436.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

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.

S. 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.

T. Notwithstanding § 4-2.03 of this act, the Virginia Department of Motor Vehicles shall be exempt from recovering statewide and agency indirect costs from the federal grants until an indirect cost plan can be evaluated and developed by the agency.

U. Consistent with the provisions of § 4-13.00 of this act, the definitions found in § 46.2-1600, Code of Virginia, on June 30, 2021, shall remain in full force and effect until June 30, 2022.

*V. Notwithstanding the provisions of subsection A of § 46.2-1508, any manufacturer or distributor of buses that sells buses to a local government authority or non-profit provider in the Commonwealth for the purposes of public transportation, as defined in 49 U.S.C. § 5302, shall not be required to obtain a manufacturers license from the Department of Motor Vehicles or a dealers license from the Motor Vehicle Dealer Board for such sales. For purposes of this item, "bus" means a rubber-tired automotive vehicle used for the provision of public transportation service by or for a recipient of federal or state funding allocated annually by the Commonwealth Transportation Board.*

*W. Notwithstanding the provisions of Title 46.2 of the Code of Virginia, only entities that both (i) provide commercial motor vehicle training to the general public and (ii) are not Virginia governmental entities shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in accordance with Subparts F and G of Part 380 of Title 49 of the Code of Federal Regulations in the Commonwealth of Virginia. Such entities shall be required to comply with the provisions of Chapter 17 of Title 46.2 of the Code of Virginia. No other person as defined in § 1-230 shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in the Commonwealth.*

437. Not set out.

438. Not set out.

ITEM 438.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Total for Department of Motor Vehicles.....			\$315,532,483	\$319,532,483
Nongeneral Fund Positions.....	2,222.00	2,222.00		
Position Level.....	2,222.00	2,222.00		
Fund Sources: Commonwealth Transportation.....	\$304,116,559	\$308,116,559		
Trust and Agency.....	\$5,446,600	\$5,446,600		
Federal Trust.....	\$5,969,324	\$5,969,324		
439. Not set out.				
440. Not set out.				
Grand Total for Department of Motor Vehicles.....			\$548,472,121	\$556,784,829
Nongeneral Fund Positions.....	2,222.00	2,222.00		
Position Level.....	2,222.00	2,222.00		
Fund Sources: Commonwealth Transportation.....	\$351,601,168	\$359,913,876		
Trust and Agency.....	\$10,946,600	\$10,946,600		
Dedicated Special Revenue.....	\$153,700,000	\$153,700,000		
Federal Trust.....	\$32,224,353	\$32,224,353		
441. Not set out.				
442. Not set out.				
443. Not set out.				
444. Not set out.				

**§ 1-39. DEPARTMENT OF TRANSPORTATION (501)**

445. Environmental Monitoring and Evaluation (51400)....			\$40,930,642	<del>\$41,374,407</del> \$43,957,252
Environmental Monitoring and Compliance for Highway Projects (51408).....	\$8,980,886	<del>\$8,428,674</del> \$10,873,613		
Environmental Monitoring Program Management and Direction (51409).....	\$3,433,626	<del>\$3,496,386</del> \$3,595,685		
Municipal Separate Storm Sewer System (MS4) Compliance Activities (51410).....	\$28,516,130	<del>\$29,449,347</del> \$29,487,954		
Fund Sources: Commonwealth Transportation.....	\$40,930,642	<del>\$41,374,407</del> \$43,957,252		
446. Ground Transportation Planning and Research (60200).....			\$79,132,074	<del>\$88,635,045</del> \$94,330,053
Ground Transportation System Planning (60201).....	\$65,016,686	<del>\$74,230,434</del> \$76,516,165		
Ground Transportation System Research (60202).....	\$9,819,773	<del>\$10,062,534</del> \$13,471,811		
Ground Transportation Program Management and Direction (60204).....	\$4,295,615	\$4,342,077		
Fund Sources: Commonwealth Transportation.....	\$79,132,074	<del>\$88,635,045</del> \$94,330,053		

Authority: Title 33.2, Code of Virginia.

A. Included in the amount for ground transportation system planning and research is no less

ITEM 446.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>than \$6,500,000 the first year and no less than \$6,500,000 the second year from the highway share of the Transportation Trust Fund for the planning and evaluation of options to address transportation needs. Included in the amounts in this item, \$50,000 the second year from the allocations to the Office of Intermodal Planning and Investment is provided for sponsorship support of the eighth annual Mobility Talks International (MTI) Conference in January, 2022. The Director of the Office of Innovation shall actively identify and engage connected and autonomous vehicle stakeholders in the Commonwealth in order to most effectively maximize the return on investment from participation in the MTI Conference for the operation of unmanned systems throughout Virginia.</p> <p>B. In addition, the Commonwealth Transportation Board may approve the expenditures of up to \$500,000 the first year and \$500,000 the second year from the highway share of the Transportation Trust Fund for the completion of advance activities, prior to the initiation of an individual project's design along existing highway corridors, to determine short-term and long-term improvements to the corridor. Such activities shall consider safety, access management, alternative modes, operations, and infrastructure improvements. Such funds shall be used for, but are not limited to, the completion of activities prior to the initiation of an individual project's design or to benefit identification of needs throughout the state or the prioritization of those needs. For federally eligible activities, the activity or item shall be included in the Commonwealth Transportation Board's annual update of the Six-Year Improvement program so that (i) appropriate federal funds may be allocated and reimbursed for the activities and (ii) all requirements of the federal Statewide Transportation Improvement Program can be achieved.</p> <p>C. Notwithstanding the provisions of Chapter 729 and Chapter 733 of the 2012 Acts of Assembly, the Commonwealth Transportation Board shall not reallocate any funds from projects on roadways controlled by any county that has withdrawn or elects to withdraw from the secondary system of state highways, nor from any roadway controlled by a city or town as part of the state's urban roadway system, based on a determination of nonconformity with the Commonwealth Transportation Board's Statewide Transportation Plan or the Six-Year Improvement Program. In jurisdictions that maintain roadways within their boundaries, the provisions of § 33.2-214, Code of Virginia, shall apply only to highways controlled by the Department of Transportation.</p> <p>D. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply to use of funds provided in this Item from the federal apportionments in the State Planning and Research Program.</p> <p>E. The Department, in conducting any study of the Interstate 664 corridor in south Hampton Roads shall, in consultation with the Department of Rail and Public Transportation and the Virginia Port Authority, review and consider potential future rail needs along the corridor including the long range development plan for the Port and the development of the Craney Island Marine Terminal.</p> <p>F. The Department of Transportation, with the assistance of the Virginia Institute for Marine Science, shall provide an annual update on the status of the Coastal Virginia Transportation Infrastructure Inundation Study no later than December 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, Chairs of the House and Senate Transportation Committees, Chair of the Joint Subcommittee on Coastal Flooding and Adaptation, and the Secretaries of Transportation and Natural Resources. The report shall include at a minimum: an up-to-date identification of at-risk rural, suburban and urban infrastructure, and planning and options to mitigate or eliminate the identified risks; and a report on what work remains to be completed and estimated time frame for the completion of its work.</p>				
447.	Highway Construction Programs (60300).....		\$3,650,896,554	\$3,778,863,742 \$4,398,542,631
	Highway Construction Program Management (60315).....	\$44,231,815		<del>\$45,054,161</del> \$46,161,840
	State of Good Repair Program (60320).....	\$293,716,106		<del>\$291,210,325</del> \$403,720,416

ITEM 447.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
High Priority Projects Program (60321).....	\$264,415,852	<del>\$254,154,471</del> \$392,278,703		
Construction District Grant Programs (60322).....	\$351,320,540	<del>\$411,235,925</del> \$495,957,931		
Specialized State and Federal Programs (60323).....	\$2,246,212,241	<del>\$2,326,208,860</del> \$2,821,723,741		
Legacy Construction Formula Programs (60324).....	\$451,000,000	<del>\$451,000,000</del> \$238,700,000		
Fund Sources: Commonwealth Transportation.....	\$3,125,496,554	<del>\$3,060,688,742</del> \$3,538,129,238		
Trust and Agency.....	\$338,800,000	<del>\$496,275,000</del> \$497,356,117		
Dedicated Special Revenue.....	\$186,600,000	<del>\$221,900,000</del> \$363,057,276		

Authority: Title 33.2, Chapter 3; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of 1989, Special Session II.

A. From the appropriation for specialized state and federal programs funds shall be distributed as follows:

1. An estimated \$115,575,647 the first year and \$117,783,238 the second year in federal state and matching funds shall be allocated for regional Surface Transportation Block Grant Funds and distributed to applicable metropolitan planning organizations pursuant to 23 USC 133;
2. An estimated ~~\$53,122,502~~ the first year and ~~\$53,122,502~~ the second year in federal and state matching funds shall be allocated for the Highway Safety Improvement Program pursuant to 23 USC 148. An estimated \$43,468,716 the second year in federal and state matching funds shall be allocated for the Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program pursuant to 23 USC 176;
3. An estimated \$83,848,855 the first year and \$82,345,399 the second year in federal and state matching funds shall be allocated for the Congestion Mitigation Air Quality program pursuant to 23 USC 149;
4. \$99,624,385 the first year and ~~\$110,105,167~~ \$140,105,167 the second year shall be allocated for the Revenue Sharing Program pursuant to § 33.2-357, Code of Virginia;
5. An estimated \$20,265,939 the first year and \$20,087,475 the second year in federal funds shall be allocated for the Surface Transportation Block Grant Program Set-Aside to 23 USC 133(h).
6. An estimated \$1,433,969,013 0 the first year and \$887,356,470 7 the second year in appropriation represents the estimated project participation costs from localities and regional entities.
7. \$218,400,000 the second year in this appropriation represents the bond proceeds to be used for the Route 58 Corridor Development Program.
8. \$15,333,333 the first year and \$15,333,333 the second year in state funds shall be allocated to the Virginia Transportation Infrastructure Bank pursuant to § 33.2-1500 et seq, Code of Virginia.
9. \$10,044,671 the first year and \$10,044,011 the second year in state funds shall be allocated to the Transportation Partnership Opportunity Fund pursuant to § 33.2-1529.1, Code of Virginia.
10. An estimated \$34,087,215 in the second year in federal and state matching funds shall be allocated for the Carbon Reduction Program pursuant to 23 USC 175.

B. Notwithstanding § 33.2-358, Code of Virginia, the proceeds from the lease or sale of surplus and residue property purchased under this program in excess of related costs shall be applied to the State of Good Repair Program pursuant to § 33.2-369, Code of Virginia. Proceeds must be used on Federal Title 23 eligible projects.

C. The Director of the Department of Planning and Budget is authorized to increase the

ITEM 447.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

appropriation as needed to utilize amounts available from prior year balances in the dedicated funds and adjust items to the most recent Commonwealth Transportation Board budget.

D. Funds appropriated for legacy formula construction programs shall be used for the purposes enumerated in subsection C of § 33.2-358, Code of Virginia, or as previously appropriated.

E. Included in the amounts for specialized state and federal programs is the reappropriation of \$495,800,000 the first year and \$559,900,000 the second year from bond proceeds or dedicated special revenues for anticipated expenditure of amounts collected in prior years. The amounts will be provided from balances in the Capital Projects Revenue Bond Fund, Federal Transportation Grant Anticipation Revenue Bond Fund, Northern Virginia Transportation District Fund, State Route 28 Highway Improvement District Fund, U.S. Route 58 Corridor Development Fund, Interstate 81 Corridor Improvement Program, Interstate Operations and Enhancement Program, Concession Funds from the Interstate 95 Express Lanes and Interstate 66 Outside-the-Beltway Project Agreements and the Priority Transportation Fund. These amounts were originally appropriated when received or forecasted and are not related to estimated revenues of the current biennium.

F. The Director of the Department of Planning and Budget is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the Concession Payments Account to support project activities.

G. The Commissioner shall promulgate policies, regulations, and guidelines for Transportation Alternative Set-Aside Grants and other locally administered projects that, to the maximum extent permissible under 23 CFR 365.105, authorize full-time employees of a planning district commission established pursuant to the Regional Cooperation Act of 1968, § 15.2-4200. et. seq. Code of Virginia, who have obtained qualified status to serve as the responsible charge under the Locally Administered Projects Qualification Program requirements of the Federal Highway Administration.

H. In the instance where there is a reduction in the prescribed weight of any vehicle or combination of vehicles passing over any bridge, or bridges constituting a part of the interstate, primary, or secondary system of highways, in addition to posting signage in accordance with § 46.2-1104, Code of Virginia, the Department shall make a good faith effort to notify businesses in the surrounding area of the reduction in prescribed weight via electronic, telephone or mail as well as posting in local media in the surrounding localities. The Department shall continue to maintain an updated website, and related social media pages, and shall work with its local partners to develop an electronic communication list to facilitate seamless notification of all businesses using the route for transportation purposes in the surrounding area.

447.10	Transportation Initiatives (62100).....		\$233,400,000	<del>\$55,000,000</del> \$342,496,000
	Transportation Initiative (62101).....	\$233,400,000	<del>\$55,000,000</del> \$342,496,000	
	Fund Sources: General.....	\$0	<del>\$55,000,000</del> \$342,496,000	
	Federal Trust.....	\$233,400,000	\$0	

A. The funds appropriated in this section represent one-time federal funds, one-time general funds and uncommitted state funds in special programs for economic development and access purposes from previous fiscal years, and as such their appropriation is not subject to the intent in subsection Q of Item 430.

B. Included in this item are \$233,400,000 in the first year in public funds made available for Highway Infrastructure Programs by the Coronavirus Response and Relief Supplemental Appropriations Act (P.L. 116-260), \$20,000,000 in the first year out of uncommitted balances in the Transportation Partnership Opportunity Fund established pursuant to § 33.2-1528.1., Code of Virginia, \$15,000,000 in the first year in uncommitted balances previously allocated for Financial Assistance for Planning, Access Road, and Special Projects (60704), and ~~\$55,000,000~~ \$342,496,000 in the second year from the

ITEM 447.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>general fund, including the FY 2021 General Fund Surplus directed to the Commonwealth Transportation Fund pursuant to § 2.2-1514 of the Code of Virginia. These funds shall be used by the Commonwealth Transportation Board support the following initiatives:</p>				
<p>1. Up to \$83,500,000 shall be transferred to Item 443 to extend intercity passenger rail service from Roanoke, Virginia to the Blacksburg-Christiansburg, Virginia area and increase the frequency of intercity passenger rail service along the I-81/Route 29 Corridor from Washington, DC;</p>				
<p>2. Up to \$83,500,000 shall be transferred to Item 442 to improve commuter rail service on the Virginia Railway Express Manassas Line;</p>				
<p>3. Up to \$93,100,000 shall be transferred to Item 447 for improvements to the Interstate 64 Corridor as follows: (i) to provide any amounts necessary to complete the funding plan for the Hampton Roads Express Lanes as identified in the Master Agreement for Development and Tolling of the Hampton Roads Express Lanes Network executed pursuant to Chapter 703 of the 2020 Acts of Assembly; and (ii) any remaining amounts to improve Interstate 64 between exit 205 and exit 234 as determined by the Commonwealth Transportation Board;</p>				
<p>4. Up to \$32,400,000 shall be transferred to Item 442 with an amount necessary to ensure the Commonwealth can provide its share of the dedicated regional funding for the Washington Metropolitan Area Transit Authority for fiscal year 2022 to be deposited into the Washington Metropolitan Area Transit Authority Capital Fund (60905) established pursuant to § 33.2-3401, Code of Virginia, and any amounts remaining after that shall be provided to the Northern Virginia Transportation Commission to reduce the fiscal year 2022 operational obligations of its member jurisdictions, based on the current formula, to Metrorail, Metrobus and MetroAccess services;</p>				
<p>5. Up to \$10,000,000 shall be transferred to Item 447 for regional trails to support the planning, development and construction of multi-use trails with priority given by the Board to developing new regionals trails, to projects to improve connectivity of existing trail networks, and to geographic diversity in the use of such funds;</p>				
<p>6. Up to \$10,900,000 shall be transferred to Item 442 and used for purposes set forth in subsection F of § 33.2-1526.1:2, Code of Virginia, to establish pilot programs for fare-free transit with urban and rural transit providers, and an amount not to exceed \$900,000 may be used to study transit equity and modernization in the Commonwealth; and;</p>				
<p>7. Up to \$10,000,000 shall be transferred to Item 447 for a connected infrastructure redevelopment demonstration program within and adjacent to the Virginia Tech campus in the City of Falls Church;</p>				
<p>8. Up to \$30,000,000 shall be transferred to Item 431 for improvements to the Mid-Atlantic Regional Spaceport that will enhance the capabilities of the Spaceport to support existing programs and provide access to space for new customers and programs;</p>				
<p>9. Up to \$37,500,000 shall be transferred to Item 446 for additional support of the planning, development, and construction of multi-use trails throughout the Commonwealth. Priority shall be given by the Board to new regional trails, projects to improve connectivity of existing trail networks, geographic diversity in the use of such funds, and for the establishment of a State Trails Office and to develop a State Trails Plan and State Trails Information Clearinghouse consistent with the January 2022 "Report of Virginia Multi-Use Trails Initiative" established pursuant to subsection G of this item. In developing the initial State Trails Plan, the State Trails Office shall coordinate with the State Trails Advisory Committee and the Department of Conservation and Recreation to ensure consistency with the Virginia Outdoors Plan;</p>				
<p>10. Up to \$210,000,000 shall be transferred to Item 447 to improve Interstate 64 between exit 205 and exit 234 with priority given to enhancements that provide long-term traffic flow improvements for the full 29-mile corridor; and</p>				
<p>11. Up to \$10,000,000 shall be transferred to Item 447 to support the extension of the Nimmo Parkway.</p>				

C. The Commonwealth Transportation Board shall provide an interim report to the Governor



ITEM 447.10.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

and the General Assembly on the use of the funds provided by this item no later than November 1, 2021 and a final report to the Governor and the General Assembly no later than June 30, 2022.

*D. Any funds not allocated by June 1, 2022 for the purposes set forth in this section shall be transferred to Item 448 and used to support additional pavement and bridge maintenance pursuant with the Department of Transportation's asset management practices developed pursuant to § 33.2-352, Code of Virginia. Any funds not allocated by June 30, 2022 for the purposes set forth in this section shall not revert to the general fund, but shall be carried over to the next fiscal year for the identified purposes.*

E. As a part of the initiative described in subsection B.1. of this item, the Secretary of Transportation shall provide an assessment of both the total project costs and incremental costs resulting from (i) the extension of intercity passenger rail to Bristol, Virginia; and (ii) modelling conducted to assess any infrastructure or network costs needed to service a rail station in Bedford, Virginia to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations no later than November 15, 2021.

F. For amounts available pursuant to subsection B.3. of this item, the Board shall not distribute any funds for the Hampton Roads Express Lanes Network until updated traffic and revenue modeling considering summer weekend traffic volumes is completed and the amount necessary to complete the funding plan, if any, is determined by the Hampton Roads Transportation Accountability Commission in coordination with the Board. In the event that funds are available to improve the Interstate 64 corridor between exit 205 and exit 234, the Board shall coordinate with the Central Virginia Transportation Authority to determine whether there is an opportunity to partner with the Authority on such improvements.

G. As a part of the initiative described in subsection B.5., the Office of Intermodal Planning and Investment shall coordinate a policy working group comprised of representatives from the Department of Transportation, the Department of Rail and Public Transportation, the Department of Conservation and Recreation, the Statewide Trails Advisory Committee, staff of the House Appropriations Committee, and staff of the Senate Finance and Appropriations Committee. The working group shall evaluate and recommend a prioritization process for the identification of new multi-use trail opportunities, a master planning process, and a funding needs assessment. The Office of Intermodal Planning shall report on the recommendations of the working group to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2021.

H. For the amounts available pursuant to subsection B.7., the Board shall not distribute any funds for the connected infrastructure redevelopment demonstration program unless the entity implementing and managing the demonstration program has entered into an agreement with the Department of Transportation to facilitate information sharing and knowledge exchange.

I. In carrying out the intent of this item, the federal funds provided in this item may be exchanged for existing state funds, as needed and at the discretion of the Commonwealth Transportation Board, to meet federal eligibility requirements provided the amount of the funding exchanged does not reduce or increase total funding available for the 2021 Transportation Funding Initiative.

J. If additional one-time, supplemental federal funds in excess of \$55,000,000, with eligibilities similar to the public funds made available for Highway Infrastructure Programs by the Coronavirus Response and Relief Supplement Appropriations Act (P.L. 116-260), is provided by the Federal Highway Administration to the Commonwealth prior to June 30, 2021, then the Director of the Department of Planning and Budget shall unallot the \$55,000,000 in general funds in this item. Further it is the intent of the General Assembly that the provisions of subsection A. of this item apply to any such additional, supplemental federal funds described in this subsection.

ITEM 448.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
448. Highway System Maintenance and Operations (60400).....			\$2,029,488,121	<del>\$2,063,801,321</del> \$2,044,241,898
Interstate Maintenance (60401).....	\$478,454,164	<del>\$492,589,159</del> \$483,271,804		
Primary Maintenance (60402).....	\$636,797,939	<del>\$633,613,750</del> \$635,052,099		
Secondary Maintenance (60403).....	\$617,577,417	<del>\$619,276,503</del> \$602,436,979		
Transportation Operations Services (60404).....	\$215,938,658	<del>\$214,796,135</del> \$219,955,243		
Highway Maintenance Operations, Program Management and Direction (60405).....	\$80,719,943	<del>\$103,525,774</del> \$103,525,773		
Fund Sources: Commonwealth Transportation.....	\$2,029,488,121	<del>\$2,063,801,321</del> \$2,044,241,898		

A. The department is authorized to enter into agreements with state and local law enforcement officials to facilitate the enforcement of high occupancy vehicle (HOV) restrictions throughout the Commonwealth and metropolitan planning regions.

B. Should federal law be changed to permit privatization of rest area operations, the department is hereby authorized to accept or solicit proposals for their development and/or operation.

C. The Director, Department of Planning and Budget, is authorized to increase the appropriation in this Item as needed to utilize amounts available from prior year balances in the dedicated funds.

D. The Commissioner's annual report pursuant to § 33.2-232, Code of Virginia, shall include an assessment of whether the department has met its secondary road pavement targets, by district and on a statewide basis.

449. Statewide Special Structures (61400).....			\$0	<del>\$5,000,000</del> \$30,000,000
Statewide Special Structures - Maintenance (61402)...	\$0	<del>\$5,000,000</del> \$30,000,000		
Fund Sources: Commonwealth Transportation.....	\$0	<del>\$5,000,000</del> \$30,000,000		
450. Commonwealth Toll Facilities (60600).....			\$83,665,648	<del>\$93,642,614</del> \$71,104,020
Toll Facility Debt Service (60602).....	\$2,955,750	\$0		
Toll Facility Maintenance And Operation (60603).....	\$43,959,898	<del>\$56,892,614</del> \$34,354,020		
Toll Facilities Revolving Fund (60604).....	\$36,750,000	\$36,750,000		
Fund Sources: Commonwealth Transportation.....	\$77,164,367	<del>\$87,642,614</del> \$65,104,020		
Trust and Agency.....	\$6,501,281	\$6,000,000		

Authority: §§ 33.2-1524 and 33.2-1700 through 33.2-1729, Code of Virginia.

A. Included in this Item are funds for the installation and implementation of a statewide Electronic Toll Customer Service/Violation Enforcement System.

B: It is the intent of the General Assembly that the toll revenues, and any bond proceeds or concession payments backed by such toll revenues, derived from the express lanes on Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564 be used to reduce the necessary contribution from the Hampton Roads Transportation Accountability Commission established pursuant Chapter 26 of Title 33.2, Code of Virginia, for a project to expand the capacity of Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564. However, such funds may be used to support other related projects if mutually agreed upon by the Hampton Roads Transportation Accountability Commission and the

ITEM 450.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<b>Commonwealth Transportation Board:</b>				
C. The Department shall not charge a fee to customers who have a EZ Pass flex or standard transponder based on the transponder not being used or being infrequently used.				
451.	Financial Assistance to Localities for Ground Transportation (60700).....		\$1,128,550,979	<del>\$1,285,004,357</del> \$1,349,909,636
	Financial Assistance for City Road Maintenance (60701).....	\$397,832,085	<del>\$411,077,641</del> \$405,955,990	
	Financial Assistance for County Road Maintenance (60702).....	\$70,610,931	<del>\$71,892,921</del> \$71,935,383	
	Financial Assistance for Planning, Access Roads, and Special Projects (60704).....	\$15,896,079	<del>\$15,935,618</del> \$17,476,106	
	Distribution of Northern Virginia Transportation Authority Fund Revenues (60706).....	\$299,311,884	<del>\$335,950,325</del> \$394,442,157	
	Distribution of Hampton Roads Transportation Fund Revenues (60707).....	\$208,000,000	<del>\$235,500,000</del> \$275,100,000	
	Distribution of Central Virginia Transportation Fund.Revenues (60710).....	\$136,900,000	<del>\$214,647,852</del> \$185,000,000	
	Fund Sources: Commonwealth Transportation.....	\$484,339,095	<del>\$498,906,180</del> \$495,367,479	
	Dedicated Special Revenue.....	\$644,211,884	<del>\$786,098,177</del> \$854,542,157	

Authority: Title 33.2, Chapter 1, Code of Virginia.

A. Out of the amounts for Financial Assistance for Planning, Access Road, and Special Projects, \$7,000,000 the first year and \$7,000,000 the second year from the Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.2-1509, 33.2-1600, and 33.2-1510, Code of Virginia. Of this amount, the allocation for Recreational Access Roads shall be \$1,500,000 the first year and \$1,500,000 the second year. It is the intent of the General Assembly that up to \$250,000 of the funds allocated by the Commonwealth Transportation Board for Recreational Access Roads in this Item shall be prioritized for handicapped accessibility improvements at Virginia State Parks, including improvements to handicapped access points and parking facility enhancements as may be requested by the Department of Conservation and Recreation.

B. Distribution of Northern Virginia Transportation Authority Fund Revenues represents direct payments, of the revenue collected and deposited into the Fund, to the Northern Virginia Transportation Authority for uses contained in Chapter 766, 2013 Acts of Assembly. Notwithstanding any other provision of law, moneys deposited into the Hampton Roads Transportation Fund shall be transferred to the Hampton Roads Transportation Accountability Commission for use in accordance with § 33.2-2611, Code of Virginia. Distribution of the Central Virginia Transportation Authority Fund revenues represents direct payments, of the revenue collected and deposited into the Fund, to the Central Virginia Transportation Authority for uses contained in House Bill 1541 as enacted by the 2020 General Assembly

C. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply to use of funds provided in this Item from federal apportionments in the Metropolitan Planning Program.

D. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation Board, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly that under no circumstance shall the addition of lane miles to one jurisdiction result in the direct or indirect reduction in the

ITEM 451.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance (60702).</p> <p>E. The Department of Transportation shall report on an annual basis to the Commonwealth Transportation Board on the impact of adjusting the payments made as part of Financial Assistance to Localities distributions for inflation consistent with adjustments for highway system maintenance and operations.</p> <p>F. Of the amounts in this item, \$1,000,000 the first year and \$1,000,000 the second year from the Commonwealth Transportation Fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities. These payments shall be treated the same as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities nor shall they supplant other local government expenditures for roadway maintenance. These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units.</p> <p>G. Notwithstanding the provisions of § 33.2-1509, Code of Virginia, and consistent with the provisions of § 4-13.00 of this Act, no locality that has been allocated funds for a bonded project by the Commonwealth Transportation Board pursuant to § 33.2-1509, Code of Virginia, shall be required to repay such funds during the 48-month period beginning on the effective date of this act, provided that all of the other conditions of the Commonwealth Transportation Board's economic development access policy are met.</p> <p><i>H. The Department of Transportation shall conduct an evaluation of the conditions of city streets. The evaluation shall include (i) an assessment of the current conditions of pavements and bridges on city-maintained streets throughout the Commonwealth, (ii) a review of the current formula used for distributing city street payments including comparisons of age, condition, vehicles miles traveled relative to per mile payments, (iii) opportunities for efficiency through partnerships with the Department, and (iv) recommendations, if any, for revisions to the formula for the distribution of city street payments. The evaluation shall be complete no later than December 1, 2023. All costs for conducting the evaluation shall be borne by the Department and under no circumstance shall funds appropriated for Financial Assistance for City Road Maintenance (60701) be reduced related to the costs of conducting the evaluation.</i></p>				
452.	Non-Toll Supported Transportation Debt Service (61200).....		\$407,887,551	\$413,750,227 \$382,018,631
	Highway Transportation Improvement District Debt Service (61201).....	\$8,644,519	\$8,644,519	
	Designated Highway Corridor Debt Service (61202)..	\$68,171,266	<del>\$69,909,350</del> \$43,280,986	
	Commonwealth Transportation Capital Projects Bond Act Debt Service (61204).....	\$196,254,150	<del>\$193,718,070</del> \$194,135,344	
	Federal Transportation Grant Anticipation Revenue Notes Debt Service (61205).....	\$134,817,616	<del>\$134,881,288</del> \$129,951,050	
	Interstate 81 Corridor Improvement Program Debt Service (61206).....	\$0	<del>\$6,597,000</del> \$6,006,732	
	Fund Sources: Commonwealth Transportation.....	\$134,817,616	<del>\$135,140,660</del> \$129,951,050	
	Trust and Agency.....	\$267,255,436	<del>\$266,453,841</del> \$239,911,855	
	Dedicated Special Revenue.....	\$0	\$6,597,000	
	Federal Trust.....	\$5,814,499	\$5,558,726	

Authority: Titles 15.2, 33.2, and 58.1 of the Code of Virginia; Chapters 827 and 914, Acts of Assembly of 1990; Chapters 233 and 662, Acts of Assembly of 1994; Chapter 8, as amended

ITEM 452.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

by Chapter 538, Acts of Assembly of 1999; Chapters 1019 and 1044, Acts of Assembly of 2000; Chapter 799, Acts of Assembly of 2002; Chapter 896, Acts of Assembly of 2007; and Chapters 830 and 868, Acts of Assembly of 2011

A.1. The amount shown for Highway Transportation Improvement District Construction shall be derived from payments made to the Transportation Trust Fund pursuant to the Contract between the State Route 28 Highway Transportation Improvement District and the Commonwealth Transportation Board dated September 1, 1988 as amended by the Amended and Restated District Contract by and among the Commonwealth Transportation Board, the Fairfax County Economic Development Authority and the State Route 28 Highway Transportation Improvement District Commission (the "District Commission") dated August 30, 2002, and May 1, 2012 (the "District Contract").

2. There is hereby appropriated for payment immediately upon receipt to a third party approved by the Commonwealth Transportation Board, or a bond trustee selected by such third party, a sum sufficient equal to the special tax revenues collected by the Counties of Fairfax and Loudoun within the State Route 28 Highway Transportation Improvement District and paid to the Commonwealth Transportation Board by or on behalf of the District Commission (the "contract payments") pursuant to § 15.2-4600 et seq., Code of Virginia, and the District Contract between the Commonwealth Transportation Board and the District Commission.

3. The contract payments may be supplemented from the Construction District Grant Program pursuant to § 33.2-371 allocated to the highway construction district in which the project financed is located, or any other lawfully available revenues of the Transportation Trust Fund, as may be necessary to meet debt service obligations. The payment of debt service shall be for the bonds (the Series 2012 Bonds) issued under the "Commonwealth of Virginia Transportation Contract Revenue Bond Act of 1988" (Chapters 653 and 676, Acts of Assembly of 1988 as amended by Chapters 827 and 914 of the Acts of Assembly of 1990). Funds required to pay the total debt service on the Series 2012 Bonds shall be made available in the amounts indicated in paragraph E of this Item.

B.1. Out of the amounts in this Item, \$40,000,000 the first year and \$40,000,000 the second year from the ~~Commonwealth Transportation~~ ~~Transportation Trust~~ Fund shall be paid to the U.S. Route 58 Corridor Development Fund, hereinafter referred to as the "Fund", established pursuant to § 33.2-2300, Code of Virginia. ~~This payment shall be in lieu of the deposit of state recordation taxes to the Fund, as specified in the cited Code section. Said recordation taxes which would otherwise be deposited to the Fund shall be retained by the general fund.~~ Additional appropriations required for the U.S. Route 58 Corridor Development Fund, an amount estimated at \$20,000,000 the first year and \$20,000,000 the second year shall be transferred from the highway share of the Transportation Trust Fund.

2. Pursuant to the "U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bond Act of 1989" (as amended by Chapter 538 of the 1999 Acts of Assembly and Chapter 296 of the 2013 Acts of Assembly), the amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

C.1. The Commonwealth Transportation Board shall maintain the Northern Virginia Transportation District Fund, hereinafter referred to as the "Fund." Pursuant to § 33.2-2400, Code of Virginia, and for so long as the Fund is required to support the issuance of bonds, the Fund shall include at least the following elements:

a. Amounts provided from state transportation revenues estimated at ~~\$20,000,000~~ \$40,000,000 the first year and ~~\$20,000,000~~ \$40,000,000 the second year to support the debt service.

b. Any public right-of-way use fees allocated by the Department of Transportation pursuant to § 56-468.1 of the Code of Virginia and attributable to the counties of Fairfax, Loudoun, and Prince William, the amounts estimated at \$5,387,165 the first year and \$5,387,165 the second year.

c. Any amounts which may be deposited into the Fund pursuant to a contract between the

ITEM 452.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Commonwealth Transportation Board and a jurisdiction or jurisdictions participating in the Northern Virginia Transportation District Program, the amounts estimated to be \$816,000 the first year and \$816,000 the second year.</p>				
<p>2. The Fund shall support the issuance of bonds at a total authorized level of \$500,200,000 for the purposes provided in the “Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993,” Chapter 391, Acts of Assembly of 1993 as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly.</p>				
<p>3. Pursuant to the Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993, Chapter 391, Acts of Assembly of 1993, and as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly, amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.</p>				
<p><del>4. Should the actual distribution of recordation taxes to the localities set forth in § 33.2-2400, Code of Virginia, exceed the amount required for debt service on the bonds issued pursuant to the above act, such excess amount shall be transferred to the Northern Virginia Transportation District Fund in furtherance of the program described in § 33.2-2401, Code of Virginia.</del></p>				
<p>5. Should the actual distribution of recordation taxes to said localities funds from the Commonwealth Transportation Fund be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, to the extent required, from funds identified in Enactment No. 1, Section 11, of Chapter 391, Acts of Assembly of 1993.</p>				
<p>D.1. The Commonwealth Transportation Board shall maintain the City of Chesapeake account of the Set-aside Fund, pursuant to § 58.1-816.1, Code of Virginia, which shall include funds provided from state transportation revenues estimated at \$1,000,000 in the first year and \$1,000,000 in the second year, and an amount estimated at \$980,000 the first year and \$980,000 the second year received from the City of Chesapeake pursuant to a contract or other alternative mechanism for the purpose provided in the “Oak Grove Connector, City of Chesapeake Commonwealth of Virginia Transportation Program Revenue Bond Act of 1994,” Chapters 233 and 662, Acts of Assembly of 1994 (hereafter referred to as the “Oak Grove Connector Act”).</p>				
<p>2. The amounts shown in paragraph E of this Item shall be available from the City of Chesapeake account of the Set-aside Fund for debt service for the bonds issued pursuant to the Oak Grove Connector Act.</p>				
<p>3. Should the actual distribution of state transportation revenues and such local revenues from the City of Chesapeake as may be received pursuant to a contract or other alternative mechanism to the City of Chesapeake account of the Set-aside Fund be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, pursuant to Enactment No. 1, Section 11 of the Oak Grove Connector Act.</p>				
<p>E. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be transferred to the Treasury Board as follows:</p>				
		<b>FY 2021</b>		<b>FY 2022</b>
Transportation Contract Revenue Refund Bonds, Series 2012 (Refunding Route 28)		\$8,644,519		\$8,644,519
Commonwealth of Virginia Transportation Revenue Bonds: U.S. Route 58 Corridor Development Program: Series 2014B (Refunding)		\$18,755,500		\$10,636,500

ITEM 452.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Series 2016C (Refunding)	\$6,237,750			\$6,240,500
Northern Virginia Transportation District Program:				
Series 2012A (Refunding)	\$5,653,038			\$5,653,288
Series 2014A (Refunding)	\$6,548,500			\$1,359,750
Series 2016B (Refunding)	\$463,500			\$463,500
Series 2019A (Refunding)	\$3,956,900			\$3,951,150
Transportation Program Revenue Bonds:				
Series 2016A (Oak Grove Connector, City of Chesapeake)	\$1,984,750			\$1,989,750
Capital Projects Revenue Bonds:				
Series 2010 A-2	\$35,432,025			\$35,197,073
Series 2011	\$21,099,750			
Series 2012	\$29,161,800			\$29,162,300
Series 2014	\$18,224,450			\$18,224,950
Series 2016	\$16,799,500			\$16,797,000
Series 2017	\$16,521,938			\$16,522,188
Series 2017A (Refunding)	\$30,408,400			\$48,948,400
Series 2018	\$9,197,350			\$9,198,600
Series 2019	\$15,062,438			\$15,061,688

F. Out of the amounts provided for in this Item, an estimated \$128,670,764 the first year and \$142,831,412 the second year from federal reimbursements shall be provided for debt service payments on the Federal Transportation Grant Anticipation Revenue Notes.

G. Out of the amounts provided for this Item, an estimated \$196,254,151 the first year and \$200,052,699 the second year from the Priority Transportation Fund shall be provided for debt service payments on the Commonwealth Transportation Capital Projects Revenue Bonds. Any additional amounts needed to offset the debt service payment requirements attributable to the issuance of the Capital Projects Revenue Bonds shall be provided from the Transportation Trust Fund.

H. The Commonwealth Transportation Board is hereby authorized, by and with the consent of the Governor, to issue, pursuant to the applicable provisions of the Transportation Development and Revenue Bond Act (§ 33.2-1700 et seq., Code of Virginia) as amended from time to time, revenue obligations of the Commonwealth to be designated "Commonwealth of Virginia Transportation Capital Projects Revenue Bonds, Series XXXX" at one or more times in an aggregate principal amount not to exceed \$180,000,000, after all costs. The net proceeds of the bonds shall be used exclusively for the purpose of providing funds for paying the costs incurred or to be incurred for construction or funding of transportation projects set forth in Item 449.10 of Chapter 847 of the Acts of Assembly of 2007, including but not limited to environmental and engineering studies; rights-of-way acquisition; improvements to all modes of transportation; acquisition, construction and related improvements; and any financing costs and other financing expenses. Such costs may include the payment of interest on the bonds for a period during construction and not exceeding one year after completion of construction of the projects. Notwithstanding the provisions of Item 449.10 of Chapter 847 of the acts of Assembly 2007, any remaining funding may be used for the purposes set forth in subsection G of Item 453 of Chapter 665, 2015 Acts of Assembly.

I. Out of the amounts provided for in this Item, an estimated \$6,597,000 the second year from the Interstate 81 Corridor Fund shall be provided for debt service payments on the Interstate 81 Corridor Improvement Bonds.

453.	Administrative and Support Services (69900).....			\$300,397,680	\$299,372,870 \$302,707,781
------	--	--	--	---------------	--------------------------------

ITEM 453.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
General Management and Direction (69901).....	\$159,465,571	\$156,789,044 \$163,937,254		
Information Technology Services (69902).....	\$108,188,208	\$105,595,362 \$105,791,557		
Facilities and Grounds Management Services (69915).....	\$20,191,707	\$20,422,768 \$20,540,895		
Employee Training and Development (69924).....	\$12,552,194	\$16,565,696 \$12,438,075		
Fund Sources: Commonwealth Transportation.....	\$300,397,680	\$299,372,870 \$302,707,781		

Authority: Title 33.2, Code of Virginia.

A. Notwithstanding any other provision of law, the highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

B. Administrative and Support Services shall include funding for management, direction, and administration to support the department's activities that cannot be directly attributable to individual programs and/or projects.

C. Out of the amounts for General Management and Direction, allocations shall be provided to the Commonwealth Transportation Board to support its operations, the payment of financial advisory and legal services, and the management of the Commonwealth Transportation Fund.

D. Notwithstanding any other provision of law, the department may assess and collect the costs of providing services to other entities, public and private. The department shall take all actions necessary to ensure that all such costs are reasonable and appropriate, recovered, and understood as a condition to providing such service.

E. Each year, as part of the six-year financial planning process, the commissioner shall implement a long-term business strategy that considers appropriate staffing levels for the department. In addition, the commissioner shall identify services, programs, or projects that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking such evaluations, the commissioner is authorized to use the appropriate resources, both public and private, to competitively procure those identified services, programs, or projects and shall identify total costs for such activities.

F. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be exempt from recovering statewide and agency indirect costs from the Federal Highway Administration until an indirect cost plan can be evaluated and developed by the agency and approved by the Federal Highway Administration.

G. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

H. Out of the amounts for General Management and Direction, allocations shall be provided to support the capital lease agreement with Fairfax County for the Northern Virginia District building. An amount estimated at \$7,800,000 the first year and \$7,800,000 the second year from Commonwealth Transportation Funds shall be provided.

I. Notwithstanding any other provisions of law, the Commonwealth Transportation Commissioner may enter into a contract with homeowner associations for grounds-keeping, mowing, and litter removal services.

J. Notwithstanding the provisions § 2.2-2402 of the Code of Virginia, no construction, erection, repair, upgrade, removal or demolition of any building, fixture or structure located or to be located on property of the Commonwealth of Virginia under the control of the Virginia Department of Transportation (VDOT) and within the secured area of a residency, area headquarters or district complex shall be subject to review or approval by the Art and Architectural Review Board as contemplated by that section. However, for changes to any building or fixture located on property owned or controlled by VDOT that has been



ITEM 453.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

designated or is under consideration for designation as a historic property, then VDOT shall submit such changes to the Art and Architectural Review Board for review and approval by the Board.

K. The Virginia Department of Transportation is authorized to convey a 25-foot wide strip of land containing approximately 0.1923 acre located along the southeastern boundary of its original Callaway Area Headquarters parcel, Tax Map Parcel #0580004200, to Earl E. Bowman, Jr. and Elizabeth H. Bowman, husband and wife, in return for the termination of an existing easement in favor of the Bowmans across certain property of the Commonwealth, as shown in those certain deeds and plats recorded at Deed Book 1114, Page 1622 and Deed Book 1114, Page 1630 in the Clerk's Office of the Circuit Court of Franklin County, Virginia, and the conveyance from the Bowmans of a parcel of land containing approximately 0.3582 acres located adjacent to and northwest of VDOT's original parcel, all as shown on a plat to be agreed to between the Parties. The appraised value of the land to be acquired by VDOT shall be equal to or greater than the value of the land to be transferred from VDOT. The exact property to be conveyed as consideration for this transaction is subject to change or adjustment provided that all parties agree, the requirements for value and form are met, and the appropriate approvals are obtained. The conveyances shall be made with the recommendation of the Department of General Services, the approval of the Governor and shall be in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

L. 1. At such time as the Virginia Department of Transportation (VDOT) determines that the VDOT Residency office, on five acres, at 626 Waddell Street, in the City of Lexington is no longer required for VDOT's purposes, it shall offer to transfer the property to the City of Lexington prior to offering the property for transfer or sale to any other public or private agency or entity or individual, on such terms and conditions as provided below.

2. The Virginia Department of Transportation and the City of Lexington shall each obtain a separate appraisal of the property, each performed by an appraiser licensed by the Commonwealth of Virginia as Certified General Real Property Appraisers, who must meet the competency provisions of the Uniform Standards of Professional Appraisal Practice.

3. VDOT shall offer the property to the City of Lexington at a value which shall be determined by averaging the values from the two appraisals obtained in L.2. above. Any other conditions of the transfer shall be based on usual and customary terms for such intergovernmental transfers.

4. If the Virginia Department of Transportation and the City of Lexington cannot agree on the terms of the transfer of the property, VDOT may transfer or sell the property to any other public or private agency or entity or individual on such terms as it determines are in the best interest of the Virginia Department of Transportation, however it will present those terms to the City of Lexington for its consideration prior to finalizing any transfer or sale to any other party.

5. Any proceeds from the sale of the Waddell Street property may be used for the construction, staff relocation and other expenses related to the renovation of the VDOT Annex Building located at 1401 East Broad Street, Richmond, VA and any proceeds not so used shall be deposited in the Transportation Trust Fund.

M. Notwithstanding any other provisions of law, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Fulton property at 503 and 890 Bickerstaff Road and 421 Old Osborne Turnpike in Henrico, Virginia, containing 21.35 acres, more or less, as shown on a plat of survey entitled, "Commonwealth of Virginia Department of Highways and Transportation Fulton Depot" made by J.D. Hensdill, State Certified Engineer or Land Surveyor, dated October 1976. Any proceeds from the sale of the Fulton property may be used for the construction, staff relocation and other expenses related to the renovation of the VDOT Annex Building located at 1401 East Broad Street, Richmond, VA and any proceeds not so used shall be deposited in the Transportation Trust Fund.

N. Notwithstanding any other provisions law, in addition to the marketing, sale and

ITEM 453.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>conveyance of any property pursuant to item C- 41.10 of the 2017 Appropriations Act, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Hampton Roads District Bartlett Area Headquarters in Isle of Wight County, Virginia, containing 10.42 acres, more or less, as shown on a plat of survey entitled, "Newport Magisterial District Isle of Wight Count, Virginia subdivision of property of: Thomas L. Newton, Jr. &amp; Thomas S. Word, Jr. Trustees" made by W. L. Jessee, State Certified Engineer or Land Surveyor, dated January 8, 1981. Any proceeds from the sale of the Bartlett Area Headquarters as well as any proceeds from the sale of any properties pursuant to item C- 41.10 of the 2017 Appropriations Act may be used for the acquisition, construction and other expenses related to the relocation of the Hampton Roads District Office Complex and any proceeds not so used shall be deposited in the Transportation Trust Fund.</p> <p>O. Notwithstanding any other provision of law, the Commissioner of Highways is hereby authorized to convey to Norfolk Southern Railway Company by deed without consideration a variable width easement for right of way beneath the existing Interstate 264 overpass in the area of the relocated freight rail facilities, across a parcel approximately 0.5 acres in size, on terms acceptable to the Virginia Department of Transportation, Norfolk Southern Railway Company, and the Federal Highway Administration. The conveyance shall be in a form approved by the Office of the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.</p>				
454.	Not set out.			
	Total for Department of Transportation.....		<b>\$7,954,349,249</b>	<b>\$8,124,444,583</b> <i>\$9,059,307,902</i>
	Nongeneral Fund Positions.....	7,735.00	7,735.00	
	Position Level.....	7,735.00	7,735.00	
	Fund Sources: General.....	\$0	<del>\$55,000,000</del> <i>\$342,496,000</i>	
	Commonwealth Transportation.....	\$6,271,766,149	<del>\$6,280,561,839</del> <i>\$6,743,788,771</i>	
	Trust and Agency.....	\$612,556,717	<del>\$768,728,841</del> <i>\$743,267,972</i>	
	Dedicated Special Revenue.....	\$830,811,884	<del>\$1,014,595,177</del> <i>\$1,224,196,433</i>	
	Federal Trust.....	\$239,214,499	\$5,558,726	
455.	Not set out.			
456.	Not set out.			
457.	Not set out.			
458.	Not set out.			
459.	Not set out.			
460.	Not set out.			
	TOTAL FOR OFFICE OF TRANSPORTATION.....		<b>\$9,681,377,128</b>	<b>\$9,939,950,102</b> <i>\$10,874,813,421</i>
	Nongeneral Fund Positions.....	10,357.00	10,357.00	
	Position Level.....	10,357.00	10,357.00	
	Fund Sources: General.....	\$30,246	<del>\$55,030,246</del> <i>\$342,526,246</i>	
	Special.....	\$189,860,549	\$194,815,165	
	Commonwealth Transportation.....	\$7,434,832,280	<del>\$7,528,745,439</del> <i>\$7,991,972,371</i>	

ITEM 460.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Trust and Agency.....	\$623,503,317	<del>\$779,675,441</del> \$754,214,572		
Dedicated Special Revenue.....	\$1,147,211,884	<del>\$1,329,195,177</del> \$1,538,796,433		
Federal Trust.....	\$285,938,852	\$52,488,634		

ITEM 461.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<b>OFFICE OF VETERANS AND DEFENSE AFFAIRS</b>				
461.	Not set out.			
462.	Not set out.			
463.	Not set out.			
464.	Not set out.			
465.	Not set out.			
466.	Not set out.			
466.10	Not set out.			
467.	Not set out.			
468.	Not set out.			
469.	Not set out.			
470.	Not set out.			
471.	Not set out.			
472.	Not set out.			
473.	Not set out.			
473.10	Not set out.			
TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS.....			<b>\$193,029,581</b>	<b>\$210,559,081</b>
General Fund Positions.....			297.47	299.47
Nongeneral Fund Positions.....			1,198.03	1,418.03
Position Level.....			1,495.50	1,717.50
Fund Sources: General.....			\$36,012,926	\$42,137,426
Special.....			\$48,053,465	\$48,053,465
Trust and Agency.....			\$2,500,000	\$2,500,000
Dedicated Special Revenue.....			\$5,809,050	\$5,809,050
Federal Trust.....			\$100,654,140	\$112,059,140

ITEM 474.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**CENTRAL APPROPRIATIONS**

**§ 1-40. CENTRAL APPROPRIATIONS (995)**

474.	Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100).....			\$10,756,833	\$10,756,833 \$4,524,802
	Interest Earned on Educational and General Programs Revenue (11106).....	\$10,756,833	\$10,756,833 \$4,524,802		
	Fund Sources: General.....	\$7,231,017	\$7,231,017 \$3,971,493		
	Higher Education Operating.....	\$3,525,816	\$3,525,816 \$553,309		

A. The standards upon which the public institutions of higher education are deemed certified to receive the payment of interest earnings from the tuition and fees and other nongeneral fund Educational and General revenues shall be based upon the standards provided in § 4-9.01 of this act, as approved by the General Assembly.

B. The estimated interest earnings and other revenues shall be distributed to those specific public institutions of higher education that have been certified by the State Council of Higher Education for Virginia as having met the standards provided in § 4-9.01 of this act, based on the distribution methodology developed pursuant to Chapter 933, Enactment 2, Acts of Assembly of 2005 and reported to the Chairmen of the House Appropriations Committee and Senate Finance Committee.

C. In accordance with § 2.2-5004 and 5005, Code of Virginia, this Item provides \$4,573,395 the first year and ~~\$4,573,395~~ \$2,548,606 the second year from the general fund, and \$3,525,816 from nongeneral funds in the first year and ~~\$3,525,816~~ \$553,309 from nongeneral funds in the second year for the estimated total payment to individual institutions of higher education of the interest earned on tuition and fees and other nongeneral fund Education and General Revenues deposited to the state treasury. Upon certification by the State Council of Higher Education of Virginia that all available performance benchmarks have been successfully achieved by the individual institutions of higher education, the Director, Department of Planning and Budget, shall transfer the appropriation in this Item for such estimated interest earnings to the general fund appropriation of each institution's Educational and General program.

D. This Item also includes \$2,657,622 in the first year and ~~\$2,657,622~~ \$1,422,887 the second year from the general fund for the payment to individual institutions of higher education of a pro rata amount of the rebate paid to the State Commonwealth on credit card purchases not exceeding \$5,000 during the previous fiscal year. The State Comptroller shall determine the amount owed to each certified institution, net of any payments due to the federal government, using a methodology that equates a pro rata share based upon the total transactions of \$5,000 or less made by the institution using the state-approved credit card in comparison to all transactions of \$5,000 or less using said approved credit card. By October 15, or as soon thereafter as deemed appropriate, following the year of certification, the Comptroller shall reimburse each institution its estimated pro rata share.

E. Once actual financial data from the year of certification are available, the State Comptroller and the Director, Department of Planning and Budget, shall compare the actual data with estimates used to determine the distribution of the interest earnings, nongeneral fund Educational and General revenues, and the pro rata amounts to the certified institutions of higher education. In those cases where variances exist, the Governor shall include in his next introduced budget bill recommended appropriations to make whatever adjustments to each institution's distributed amount to ensure that each institution's incentive payments are accurate based on actual financial data.

475. Not set out.

ITEM 476.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
476.	Not set out.			
477.	Not set out.			
478.	Not set out.			
479.	Payments for Special or Unanticipated Expenditures (75800).....		\$6,769,500	\$20,945,052 \$23,445,052
	Miscellaneous Contingency Reserve Account (75801).....	\$1,300,000		<del>\$1,300,000</del> \$3,800,000
	Economic Development Assistance (75804).....	\$2,400,000		\$2,150,000
	Undistributed Support for Designated State Agency Activities (75806).....	\$3,069,500		\$17,495,052
	Fund Sources: General.....	\$6,769,500		<del>\$20,945,052</del> \$23,445,052

Authority: Discretionary Inclusion.

A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to an amount not to exceed \$5,000,000 from the unappropriated balance derived by subtracting the general fund appropriations from the projected general fund revenues in this act, to provide for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall be made only when (1) sufficient funds are not available within the agency's appropriation and (2) additional funds must be provided prior to the end of the next General Assembly Session.

B.1. The Governor is authorized to allocate from the unappropriated general fund balance in this act such amounts as are necessary to provide for unbudgeted cost increases to state agencies incurred as a result of actions to enhance homeland security, combat terrorism, and to provide for costs associated with the payment of a salary supplement for state classified employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard. Any salary supplement provided to state classified employees ordered to active duty, shall apply only to employees who would otherwise earn less in salary and other cash allowances while on active duty as compared to their base salary as a state classified employee. Guidelines for such payments shall be developed by the Department of Human Resource Management in conjunction with the Departments of Accounts and Planning and Budget.

2. The Governor shall submit a report within thirty days to the Chairmen of House Appropriations and Senate Finance Committees which itemizes any disbursements made from this Item for such costs.

3. The governing authority of the agencies listed in this subparagraph may, at its discretion and from existing appropriations, provide such payments to their employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard, as are necessary to provide comparable pay supplements to its employees.

a. Agencies in the Legislative and Judicial Departments;

b. The State Corporation Commission, the Virginia Workers' Compensation Commission, the Virginia Retirement System, the Virginia Lottery, and the Virginia College Savings Plan;

c. The Office of the Attorney General and the Department of Law; and

d. State-supported institutions of higher education.

C. The Governor is authorized to expend from the unappropriated general fund balance in this act such amounts as are necessary, up to \$1,500,000, to provide for indemnity payments to growers, producers, and owners for losses sustained as a result of an infectious disease outbreak or natural disaster in livestock and poultry populations in the Commonwealth. These indemnity payments will compensate growers, producers, and owners for a portion of the difference between the appraised value of each animal destroyed or slaughtered or animal

ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>product destroyed in order to control or eradicate an animal disease outbreak and the total of any salvage value plus any compensation paid by the federal government.</p>				
<p>D. Out of the appropriation for this item is included \$1,000,000 the first year and <del>\$1,000,000</del> \$3,500,000 the second year from the general fund to be used by the Governor as he may determine to be needed for the following purposes:</p>				
<ol style="list-style-type: none"> <li>1. To address the six conditions listed in § 4-1.03 c 5 of this act.</li> <li>2. To provide for unbudgeted and unavoidable increases in costs to state agencies for essential commodities, services, and training which cannot be absorbed within agency appropriations including unbudgeted benefits associated with Workforce Transition Act requirements.</li> <li>3. To secure federal funds in the event that additional matching funds are needed for Virginia to participate in the federal Superfund program.</li> <li>4. To provide a payment of up to \$100,000 to the Military Order of the Purple Heart, for the continued operation of the National Purple Heart Hall of Honor, provided that at least half of other states have made similar grants.</li> <li>5. In addition, if the amounts appropriated in this Item are insufficient to meet the unanticipated events enumerated, the Governor may utilize up to \$1,000,000 the first year and \$1,000,000 the second year from the general fund amounts appropriated for the Commonwealth's Opportunity Fund for the unanticipated purposes set forth in paragraph D.1. through paragraph D.5. of this Item.</li> <li>6. In addition, to provide for payment of monetary rewards to persons who have disclosed information of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act.</li> <li>7. The Department of Planning and Budget shall submit a quarterly report of any disbursements made from, commitments made against, and requests made for such sums authorized for allocation pursuant to this paragraph to the Chairmen of the House Appropriations and Senate Finance Committees. This report shall identify each of the conditions specified in this paragraph for which the transfer is made.</li> </ol>				
<p>E. Included in this appropriation is \$300,000 the first year and \$300,000 the second year from the general fund to pay for private legal services and the general fund share of unbudgeted costs for enforcement of the 1998 Tobacco Master Settlement Agreement. Transfers for private legal services shall be made by the Director, Department of Planning and Budget upon prior written authorization of the Governor or the Attorney General, pursuant to § 2.2-510, Code of Virginia or Item 57, Paragraph D of this act. Transfers for enforcement of the Master Settlement Agreement shall be made by the Director, Department of Planning and Budget at the request of the Attorney General, pursuant to Item 57, Paragraph B of this act.</p>				
<p>F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any municipality which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or portion thereof, of any public facility pursuant to § 58.1-608.3, Code of Virginia, shall be entitled to all sales tax revenues generated by transactions taking place in such public facility.</p>				
<p>G. Any unexpended balance remaining in this Item on June 30, 2020, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the second year of the current biennium. Any unexpended balance remaining in this Item on June 30, 2021, shall be carried forward on the books of the Comptroller and shall be available for expenditures in the next biennium.</p>				
<p>H.1. Out of this appropriation, \$1,000,000 the first year and \$9,000,000 the second year from the general fund shall be provided to the City of Richmond for expenses incurred for the planning and development of the Slavery and Freedom Heritage Site in Richmond, including Lumpkin's Pavilion and Slave Trail improvements. Any unexpended general fund balances remaining from the appropriation in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and reappropriated</p>				

ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

for its original purpose.

2. The City of Richmond shall provide documentation to the Department of General Services on the progress of this project and actual expenditures incurred for it in a form acceptable to the Secretaries of Finance and Administration.

3. The Department of General Services shall act as the fiscal agent for these funds. The director shall oversee the expenditure of state appropriations to ensure that payments to the City of Richmond are made consistent with the purposes set out in paragraphs and The Director, Department of Planning and Budget, is authorized to transfer these funds to the Department of General Services to implement this appropriation.

4. This appropriation shall be exempt from the disbursement procedures specified in § 4-5.05 of the act.

5. Funding shall be made available to the City of Richmond for the planning and development of the Slave Trail improvements coincident with the effective date of this act. Any remaining funds contained in paragraph H.1. above for the purposes enumerated shall be made available to the City of Richmond upon the receipt of planning and development information by the Department of General Services. The Director of the Department of Planning and Budget shall provide the additional funds at the request of the Department of General Services as the fiscal agent for this project.

I.1. The Director, Department of Planning and Budget, is authorized to transfer any remaining balances originally appropriated in Item 476 I., Chapter 836, 2017 Virginia Acts of Assembly, the first year, to the Department of State Police for unanticipated costs associated with mitigating security threats, information technology (IT) security gaps, and the data stored on IT systems used by the Department. The costs eligible for reimbursement shall be for information technology and telecommunications goods and services that have been procured in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

2.a. Notwithstanding the provisions of § 2.2-2011, Code of Virginia, the Department of State Police is authorized to procure, develop, operate, and manage the cyber security and management tools required to protect the information technology used by the Department that is defined as out-of-scope from the Virginia Information Technologies Agency pursuant to the Memorandum of Understanding (MOU) between the two agencies dated August 30, 2013. The Department of State Police shall be solely responsible for securing all aspects of information technology defined as out-of-scope in the current MOU.

b. Costs expended by the Department of State Police for cyber security and management tools shall be reimbursed by the Director, Department of Planning and Budget from unexpended funds provided in paragraph I.1. of this Item, after such expenses have been approved by the Chief Information Officer and determined to be in compliance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

3.a. The Superintendent of State Police shall develop and report to the Chairmen of the House Committee on Appropriations and Senate Committee on Finance a detailed transition plan addressing the steps required for the Department of State Police to assume responsibility for the development, operation, and management of all of its information technology infrastructure and services. The Department of State Police is authorized to procure consulting services to assist in the development of the detailed transition plan. The Virginia Information Technologies Agency shall assist in the development and drafting of the detailed transition plan.

b. The report shall, at a minimum, include a detailed transition plan that: (i) identifies and evaluates anticipated transition timelines, tasks, activities, and responsible parties; (ii) identifies any one-time and ongoing costs of transitioning responsibility for information technology services from the Virginia Information Technologies Agency to the Department of State Police, including the estimated costs to obtain existing information technology assets or transition services from Northrop Grumman; (iii) identifies the ongoing costs of staffing, services, and contracts related to enterprise security and management tools, legacy system replacements or upgrades, construction or lease of facilities including data centers, labor costs and workload analyses, and training costs; (iv) identifies any other such factors deemed



ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>necessary for discussion as identified by the Superintendent of State Police or Chief Information Officer of the Commonwealth; (v) identifies necessary changes required to transition and modernize current statutes related to basic State Police communication systems consistent with the Criminal Justice Information Services Security Policy Version 5.5, or its successor; and (vi) provides a jointly developed and agreed upon MOU between the Department of State Police and the Virginia Information Technologies Agency that certifies the information.</p>				
<p>c. Costs expended by the Department of State Police for the development of the detailed transition plan shall be reimbursed by the Director, Department of Planning and Budget from unexpended funds provided in paragraph I.1 of this item, after such expenses have been approved by the Chief Information Officer and determined to be in compliance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.</p>				
<p>d. The report and accompanying Memorandum shall be provided to the Chairmen of the House Committee on Appropriations and Senate Committee on Finance as required by Item 476 I., Chapter 836, 2017 Virginia Acts of Assembly. The Chief Information Officer of the Commonwealth shall review the report and provide an analysis of the detailed transition plan no later than 30 days after submission of the report to the Chairmen of the House Committee on Appropriations and Senate Committee on Finance.</p>				
<p>4. Any remaining balances as originally appropriated in Item 476 I.5., Chapter 836, 2017 Virginia Acts of Assembly, from the general fund are authorized to be transferred to reimburse the Department of State Police for costs associated with mitigating information technology security threats and gaps required to protect and manage out-of-scope information technology that is not addressed in paragraph 3.b. All such costs shall be eligible for reimbursement if they have been procured in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency. The Director, Department of Planning and Budget is authorized to release this funding following certification by the Chief Information Officer that these costs address cyber security threats and gaps, including upgrades to legacy applications to remediate audit findings by the Auditor of Public Accounts or Commonwealth Security and Risk Management.</p>				
<p>J. Out of this appropriation, \$1,350,000 the first year and \$1,350,000 the second year from the general fund is provided to support the advancement of computer science education and implementation of the Commonwealth's new computer science standards across the public education continuum. These funds are intended to provide high quality professional development to current and future teachers; create, curate, and disseminate high quality computer science curriculum, instructional resources, and assessments; support summer and after-school computer science related programming for students; and facilitate meaningful career exposure and work-based learning opportunities in computer science fields for high school students. Funds shall be disbursed through a competitive grant process and shall prioritize at-risk students and schools. In consultation with the Secretary of Finance and the Secretary of Commerce and Trade, the Secretary of Education shall develop a process to award these funds in accordance with the provisions of this language, with the Governor providing final approval for distribution of the funds.</p>				
<p>K.1. Out of this appropriation is included \$1,050,000 the first year and \$800,000 the second year from the general fund for the first two phases of the integration and enhancement of Virginia's workforce technology systems. The project will enable single sign-on access for users and the addition of new individual, organization, and community-level data from both current and future agency partners. To the maximum extent allowable under federal law, regulation, and guidance, functionality will be developed to automatically associate wage and licensure outcomes to participant records, enabling performance-driven management and contracting. The project will also support the development of shared customer-facing applications, analytic tools, and interfaces. All elements of this project will be conducted in coordination with the Chief Data Officer and Chief Workforce Development Advisor.</p>				
<p>2. On or before November 1, 2020, the Chief Data Officer and Chief Workforce Development Advisor, with input from the Virginia Economic Development Partnership, shall submit a report detailing the progress of implementation for Phase I of this project</p>				

ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
	among the four Titles of the Workforce Innovation and Opportunity Act and within the state's one-stop centers. This report shall also include a plan for sustaining Phase I and Phase II of the project, including the appropriate agency owner.			
	L. Out of this appropriation is included up to \$1,069,500 the first year and up to \$1,069,500 the second year from the general fund for the purpose of redistricting, which shall include expenses related to the Virginia Redistricting Commission if approved by voter referendum in the November, 2020 general election. The Department of Planning and Budget is authorized to transfer these amounts to the applicable state agency or agencies to support the purposes of redistricting, including supporting the Commission if approved.			
	N. 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.			
	O. 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.			
	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.			
	R.1. Included in this Item is \$2,157,495 the second year from the general fund to support the transition offices established as a result of the 2021 elections for Governor, Lieutenant Governor, and Attorney General. Out of this amount, \$752,217 shall be transferred, based on actual expenses, to the Department of General Services, \$90,000 to the Division of Select Agencies Support Services, and \$1,315,278 to the Virginia Information Technologies Agency for the provision of facilities, equipment, services, and supplies required to support the transition activity.			
	2. The Commonwealth's financial support for the transition is to be allocated as follows:			
	Office of the Governor: \$1,801,502			
	Office of the Lieutenant Governor: \$188,090			
	Office of the Attorney General: \$167,903			
	S. Included in this Item is \$511,057 the second year from the general fund to be transferred, based on actual expenditures, to the Department of General Services to support anticipated costs for the inauguration in January 2022			
	T. Out of this appropriation, \$257,000 the second year from the general fund is provided to support the removal of the Harry F. Byrd statue from Capitol Square. The Director, Department of Planning and Budget is authorized to transfer this amount to the Department of General Services pursuant to the passage of House Bill 2208 of the 2021 General Assembly.			
	U. Included in the appropriation for this item is \$3,500,000 the second year from the general fund for the initial operating costs of the Virginia Cannabis Control Authority, created pursuant to House Bill 2312 and Senate Bill 1406 of the 2021 Special Session I. Disbursement of these funds shall be upon the determination of the Secretary of Finance and with the advice and consent of the Director of the Office of Diversity, Equity, and Inclusion.			
	V. Out of this appropriation, \$1,000,000 the second year from the general fund is provided for evidence-based marijuana prevention and education programs and public health campaigns, including programs focused on youth and college-aged populations. The Director, Department of Planning and Budget, is authorized to transfer these funds to the applicable state agency or agencies, authorities, or offices, to support these efforts.			
479.10	Not set out.			

ITEM 479.20.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
479.20	Disaster Planning and Operations (72200).....			\$0	<del>\$9,092,453,771</del> \$9,198,741,232
	Pandemic Response (72211).....	\$0	<del>\$9,092,453,771</del> \$9,198,741,232		
	Fund Sources: Federal Trust.....	\$0	<del>\$9,092,453,771</del> \$9,198,741,232		

A. Out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021 (ARPA), the following table represents non-discretionary amounts appropriated prior to the enactment of this act.

ARPA Funding Source	Agency / Purpose	Amount
State and Local Recovery Fund - Local (Non-Entitlement) - (US Treasury)	Department of Accounts Transfer Payments (162) / ARPA local allocations - Non-Entitlement Localities - Part 1	\$316,876,775
WIC Cash Value Vouchers Increase (USDA)	Department of Health (601) / Increase WIC Cash-value voucher benefit for fruit and vegetables	\$8,910,669
Unemployment Insurance Extension Implementation Grants (US DOL)	Virginia Employment Commission (182) / Unemployment Insurance Benefits	\$2,058,424,317
Aid to State Veterans Homes - Per Diem Program (US VA)	Department of Veterans Services (912) / Aid to State Veterans Homes per diem Program	\$4,285,124

B.1. The appropriation for this Item includes an amount estimated at ~~\$3,179,200,801~~ \$3,279,461,610 in the second year from the revenues to be received from distributions of the federal State and Local Recovery Fund (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA).

2. The following appropriations shall be transferred from this Item for the following purposes:

a. Unemployment Assistance

1) \$73,600,000 to the Virginia Employment Commission (182) for information technology modernization, call center improvements, security, and claims adjudication. Information technology improvements shall include a customer relationship management system and other such communication tools to better serve Unemployment Insurance clients.

2) \$862,000,000 to the Virginia Employment Commission (182) for deposit to the Unemployment Trust Fund.

3) Notwithstanding any other provision of law, the Virginia Employment Commission shall compute tax rates for Calendar Year 2022 by excluding pandemic related claim activity. Any such rate for any employer for Calendar Year 2022, may be less than, but shall not exceed the established rate for that employer for Calendar Year 2021. For purposes of this calculation, pandemic related claim activity is defined as all regular Unemployment Insurance claims activity from April 1, 2020, through June 30, 2021. The pool charge for Calendar Year 2022 shall be computed using this same methodology and set at an amount not to exceed the rate in effect for Calendar Year 2021.

4) *Notwithstanding § 60.2-533, Code of Virginia, the fund building rate shall be set for Calendar Year 2023 at a rate not to exceed the rate in effect for Calendar Year 2020.*

b. Broadband

1) \$500,000 to the Department of General Services (194) for legal and real estate transaction support for agencies that own property to support broadband expansion.

2) \$479,000,000 to the Department of Housing and Community Development (165) to support broadband access managed and awarded through the Virginia

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Telecommunications Initiative grant making process; however, the agency may adjust the criteria to reflect the provisions established by the U.S. Department of the Treasury's rules and regulations regarding the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act.				
3) \$8,000,000 to the Department of Housing and Community Development (165) for the Line Extension Customer Assistance Program to support the extension of existing broadband networks to low to moderate income residents.				
4) For grants awarded from the amounts appropriated in paragraphs B.2.b.2), C.1., and Item 114, Paragraph L. of Chapter 552, 2021 Acts of Assembly, Special Session I for the construction of broadband infrastructure through the Virginia Telecommunications Initiative, the Department of Housing and Community Development shall deliver an annual performance report to the Governor, Secretary of Commerce and Trade, and Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee on or before November 1st of each year, starting in Calendar Year 2022. To the extent possible, the annual performance report shall contain information by grant recipient and year on the following metrics: (1) Number of passings; (2) Grant dollars expended by fund source (State and Local Recovery Fund, Capital Project Fund, general fund state grants and match); (3) Contract performance period, and on-time progress towards project delivery; (4) Maximum advertised project speeds available; and, (5) Achievement of key project milestones. The annual performance report shall include an evaluation of any projects under risk of incompleteness or underperformance. The Department of Housing and Community Development shall develop a public facing dashboard to be updated quarterly that contains key performance information by grant recipient and year, and includes the key performance indicators outlined above. Information in this public facing tool shall contain data beginning with grants awarded in the Fiscal Year 2022 Virginia Telecommunications Initiative grant cycle.				
c. Rebuild VA				
1) \$250,000,000 to the Department of Small Business and Supplier Diversity (350) for the Rebuild VA program. In awarding these funds, priority shall be given to qualifying applications received by the Department on or before June 30, 2021, for which a grant has not been awarded. <del>The Department shall solicit new applications to allocate any balance that remains from this appropriation. In allocating funds to support grants for applications solicited by the agency after June 30, 2021:</del> (1) the Department shall prioritize funding for businesses in the hospitality and tourism industry; that includes; but is not limited to hotel and lodging establishments; restaurants; and entertainment and public amusement venues; and; (2) in awarding these funds to restaurants; funds shall be reserved for restaurants that have not received federal assistance through the Small Business Administration's Restaurant Revitalization Fund or loan forgiveness from the Small Business Administration's Paycheck Protection Program.				
2) \$130,000,000 to the Department of Small Business and Supplier Diversity (350) for the Rebuild Virginia program. These funds shall be used to provide business assistance to qualifying applications received by the department on or before June 30, 2021, for which a grant has not been awarded. The Director of the Department of Planning and Budget shall distribute funds to the department for this purpose within 10 days of the passage of this act.				
3) Any funds remaining at the end of the fiscal year shall be carried forward into the next fiscal year by the department for the purposes described in these paragraphs 1) and 2) of c. Rebuild VA. The department shall remit any unused funds provided in this paragraph for Rebuild Virginia applications received by the department on or before June 30, 2021 to the State Treasurer for deposit into the State and Local Recovery Fund on or before June 30, 2023.				
d. Other small business				
1) \$22,500,000 to the Department of Housing and Community Development (165) to support the Virginia Removal or Rehabilitation of Derelict Structures Fund program. Notwithstanding § 36-155, Code of Virginia, for the purposes of this funding, the maximum grant amount shall be \$5,000,000 for projects in economically distressed areas, and any grant award in excess of \$1,000,000 for projects in economically distressed areas shall be conditioned upon a 100				

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

percent match of local and/or private funds by the local government. The funds shall be managed and awarded through the Industrial Revitalization Fund process; however, the department may adjust the criteria to reflect the provisions established by the U.S. Department of the Treasury's rules and regulations regarding the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act. Pursuant to these provisions, DHCD shall increase project cap amounts and consider updates to program guidelines that make more projects viable, especially in communities disproportionately impacted by the pandemic. Where the proposed project's end user is a private business, DHCD shall include evaluation criteria that incentivizes significant private investment.

2) \$4,000,000 to the Department of Housing and Community Development to support the Virginia Main Street Program in providing assistance to businesses recovering from the COVID-19 pandemic.

e. Utility Assistance

1) a) \$120,000,000 for utility assistance, to help provide direct assistance to residential utility customers with accounts over 60 days in arrears including the cost to administer the program.

b) The State Corporation Commission shall establish an application process to distribute funds directly to utilities for the purpose of efficiently providing direct assistance to customers. Funds shall be awarded proportionally based on total arrearages of residential utility customer accounts over 60 days in arrears as of August 31, 2021. The Director, Department of Planning and Budget shall distribute funds to the State Corporation Commission within 30 days of the passage of this act. The Director, Department of Planning and Budget in consultation with the State Corporation Commission and the Department of Housing and Community Development shall transfer amounts from this allocation to address the arrearages held by residential customers of utilities outside the jurisdiction of the Commission to the Department of Housing and Community Development for distribution to these utilities. Notwithstanding § 2.2-4002, Code of Virginia, the provisions contained in this paragraph establishing the utility direct assistance program shall not be subject to the Administrative Process Act.

c) Upon receipt of any funds provided in this paragraph, utilities shall maintain separate ARPA COVID-19 Utility Assistance Funds and record direct assistance payments to residential customers on their books in accordance with applicable accounting standards. Utilities may not direct any funds provided in this paragraph 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 COVID-19 pandemic or that they have experienced a hardship to pay during the COVID-19 pandemic prior to receiving direct assistance from the utility's ARPA COVID-19 Utility Assistance Fund. While utilities may require attestation of such hardship, it is implied that arrearages accrued over 60 days for customer nonpayment of bills from March 12, 2020, to the effective date of this act, for which federal relief funds shall be used for direct subsidy payments on behalf of customers were incurred as a financial hardship created by the COVID-19 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. Should the application of any assistance render a customer due a balance necessitating a cash refund payable to the customer, such assistance shall be proportionally reduced as to achieve a zero balance.

d) 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. Notwithstanding the provisions of this paragraph, a utility does not include any Phase II utility subject to the regulation of the State Corporation Commission.

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
e) The Department of Housing and Community Development shall survey municipal utilities to determine the amount of unspent utility assistance funds previously provided under the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), as well as the level of outstanding customer arrearages as of August 31, 2021, from March 12, 2020. The information collected shall include the number and value of accounts that are at least 60 days in arrears disaggregated by residential, business, and industrial users. Utilities not subject to the regulation of the State Corporation Commission shall submit the required information to the Department in a timely manner. The Department shall submit a report on its findings to the Governor and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by November 1, 2021.				
f) The State Corporation Commission shall survey jurisdictional utilities to determine the amount of unspent utility assistance funds previously provided under the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), as well as the level of outstanding customer arrearages as of August 31, 2021, from March 12, 2020. The information collected shall include the number and value of accounts that are at least 60 days in arrears disaggregated by residential, business, and industrial users. Utilities subject to the regulation of the State Corporation Commission shall submit the required information to the Commission in a timely manner. The Commission shall submit a report on its findings to the Governor and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by November 1, 2021.				
g) If it is determined that the funds provided in this paragraph are insufficient to satisfy the aggregate outstanding jurisdictional and municipal utility customer arrearages following the passage of this act, additional funding may be considered during the 2022 General Assembly Session.				
f. Tourism				
1) \$50,000,000 to the Virginia Tourism Authority (320) to support local domestic marketing organizations, as well as the Authority's marketing and incentive programs.				
2) \$1,000,000 to the Virginia Tourism Authority (320) to collaborate and partner with the City of Virginia Beach to develop historical and cultural content with the Virginia African American Cultural Center (VAACC).				
3) \$6,000,000 to the Fort Monroe Authority (360) for construction of a permanent monument to commemorate the 400-year anniversary of the First Landing of Africans at Point Comfort in Fort Monroe.				
4) \$250,000 to the Department of Historic Resources (423) to be provided to the City of Harrisonburg to partner with the Dallard-Newman House to complete development of a Museum of African- American History and Culture in Harrisonburg.				
g. Education				
1) \$500,000 to Direct Aid to Public Education (197) to support An Achievable Dream program in Henrico County.				
2) \$500,000 to Direct Aid to Public Education (197) to support Fredericksburg City Schools to expand its career and technical education programs.				
3) \$200,000 to Direct Aid to Public Education (197) to provide after school and summer education programs to Sussex and Greensville Counties' students through the Sussex County Youth and Adult Recreation Association (\$100,000) and the Washington Park Association (\$100,000).				
4) \$800,000 to Direct Aid to Public Education (197) to provide a one-time grant to Portsmouth Public Schools to support students with workforce readiness education and industry based skills, including internships and externships, apprenticeships, and assistance in enrollment in post-secondary education.				
h. Education - Ventilation				
1) <del>\$250,000,000</del> \$218,720,809 to Direct Aid to Public Education (197) for qualifying ventilation improvement projects in local public schools. Funds shall be allocated to local				

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

school divisions based on fiscal year 2022 projected March 31 average daily membership with a minimum allocation of \$200,000 per division. Funds shall be paid to school divisions on a reimbursement basis. Localities shall provide a match for these funds from any available fund sources equal to 100 percent of the grant amount. A school division may elect to accept a grant amount less than its formula allocation. Before receiving any funds, local school divisions must provide a description for each of the projects to be completed with these funds, including estimated costs and date of completion, and certify to the Department of Education no later than November 15, 2021, that these funds will be used to improve ventilation systems in public facilities in accordance with guidelines issued by the U.S. Department of the Treasury for the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds. Following certification from a school division that it will not participate in the grant program or elects to accept an amount less than its formula allocation, the Department of Education is authorized to reallocate any program balances based on actual demand. No later than December 15, 2021, the Department of Education shall compile the school division certifications and submit a report to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees, the Secretary of Education, the Secretary of Finance, and the Director, Department of Planning and Budget.

2) \$2,000,000 to the Jamestown-Yorktown Foundation (425) to upgrade its ventilation systems in its facilities.

3) \$5,000,000 to the Virginia Museum of Fine Arts (238) to replace outdated air handling units on the main museum campus.

i. Higher Education

1) \$100,000,000 to the State Council of Higher Education for Virginia (245) for need-based financial aid for in-state undergraduate students from low- and moderate-income households at public institutions of higher education. No less than 30 days prior to distributing the funds to the public institutions, the Council shall report on the allocation methodology used to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Finance, the Secretary of Education, and the Director, Department of Planning and Budget.

2) \$11,000,000 to the State Council of Higher Education for Virginia (245) for need-based financial aid for in-state undergraduate students from low- and moderate-income households at institutions of higher education eligible for the Virginia Tuition Assistance Grant Program in accordance with § 23.1-628 through § 23.1-635, Code of Virginia. No institution shall receive more than ten percent of the total funding provided herein. No less than 30 days prior to distributing the funds to the private institutions, the Council shall report on the allocation methodology used to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Finance, the Secretary of Education, and the Director, Department of Planning and Budget.

3) \$40,000,000 to the Virginia Community College System (260) for capital projects at Northern Virginia Community College (NVCC). Of this allocation, \$15,000,000 is designated for construction of a new building that would allow NVCC to expand its trades programs in carpentry, electrical, computer integration in trades, advanced automotive, and backup power systems. \$25,000,000 is designated for construction of a building that would allow NVCC to expand its nursing, phlebotomy, occupational therapy assistant, and physical therapist assistant programs.

4) \$10,000,000 to the Online Virginia Network Authority (244).

j. Food Access

1) \$14,600,000 to the Department of Agriculture and Consumer Services (301) for food assistance, including the expansion of food access and healthcare partnerships, development of a shelf-stable food purchase program, and the purchase of food from local farmers through the Virginia Farm to Virginia Families Food Box Program.

k. CSOs and Wastewater

1) \$5,750,000 to the Department of Health (601) to provide improvement funds for well

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

and septic systems for homeowners at or below 200 percent of the federal poverty guidelines.

2) \$75,000,000 to the Department of Environmental Quality (440) for septic, straight pipe, and sewer collection system repair, replacement, and upgrades.

3) \$125,000,000 to the Department of Environmental Quality (440) for grants to the *City of Alexandria, Virginia Sanitation Authority and the cities of Alexandria, Lynchburg; and Richmond* to pay a portion of the costs of combined sewer overflow control projects. The *City of Alexandria, Virginia Sanitation Authority* is to receive \$50,000,000; the *City of Lynchburg* is to receive \$25,000,000; and the *City of Richmond* is to receive \$50,000,000. In order to receive these funds, the locality must certify that it is providing a 100 percent match to the funds it will receive pursuant to this paragraph.

4) \$100,000,000 to the Department of Environmental Quality (440) to reimburse eligible entities as provided for in the Enhanced Nutrient Removal Certainty (ENRC) Program established in § 62.1-44.19:14, Code of Virginia, for capital costs incurred for the design and installation of nutrient removal technology, and to reimburse *the Wise County Public Service Authority for capital costs incurred for infrastructure improvements in the Town of Pound and the City of Petersburg* for capital costs incurred for infrastructure improvements that are eligible for reimbursement under the Virginia Water Facilities Revolving Fund established in § 62.1-225, Code of Virginia. Such reimbursements shall be in accordance with eligibility determinations made by the Department of Environmental Quality.

l. Drinking Water

1) \$50,000,000 to the Department of Health (601) to support equal access to drinking water at small and disadvantaged community waterworks. These funds shall be limited in their use to qualifying municipal and private drinking water projects and shall not be used for improvements to the department's internal systems; ~~staffing~~; or processes.

m. Parks

1) \$25,000,000 to the Department of Conservation and Recreation (199) for outdoor recreation area maintenance and construction needs.

2) \$1,000,000 to the Department of Conservation and Recreation (199) to be provided to Fairfax County for trail system connections at Lake Royal Park.

n. Mental Health

1) \$45,000,000 to the Department of Behavioral Health and Developmental Services (720) for bonuses provided to direct care staff at state behavioral health facilities and intellectual disability training centers.

2) \$10,000,000 to the Department of Behavioral Health and Developmental Services (720) for the continued expansion of community-based crisis services, which may include mobile crisis services and crisis receiving facilities.

3) \$1,200,000 to the Department of Behavioral Health and Developmental Services (720) for the purchase of personal protective equipment at state facilities.

4) \$50,000,000 to the Department of Behavioral Health and Developmental Services (720) for the renovation or replacement of ventilation and water or sewer systems at state facilities.

5) \$5,000,000 to the Department of Behavioral Health and Developmental Services (720) for permanent supportive housing in Northern Virginia to assist with the bed crisis at state facilities.

6) \$1,650,000 to the Department of Behavioral Health and Developmental Services (720) to expand a pilot program to serve approximately 60 additional individuals with a primary diagnosis of dementia who are ready for discharge from state geriatric behavioral health hospitals to the community and who are in need of nursing facility level care. Funding for the pilot program shall be dependent upon an agreement between the department and the Community Services Board in the jurisdiction the pilot program is located. The Department shall report to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget on



ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>the design and implementation of the pilot program by December 1, 2021, with a report on the program's outcomes, including data on hospital readmissions and program sustainability by June 30, 2022.</p>				
<p>7) \$1,000,000 to the Department of Criminal Justice Services (140) to provide resources for crisis intervention team training to law-enforcement officers and dispatchers, and one position to provide technical assistance in support of the mental health awareness response and community understanding services (Marcus) alert system.</p>				
<p>o. Substance Use Disorder</p>				
<p>1) \$5,000,000 to the Department of Health (601) for substance misuse and suicide prevention efforts.</p>				
<p>2) \$10,000,000 to the Department of Behavioral Health and Developmental Services (720) to make grants to members of the Virginia Association of Recovery Residences for recovery support services.</p>				
<p>3) \$5,000,000 to the Department of Behavioral Health and Developmental Services (720) to expand community-based substance use disorder treatment services.</p>				
<p>p. Public Health Initiatives</p>				
<p>1) \$2,500,000 to the Virginia State Bar (117) for legal aid funding for legal representation in eviction cases.</p>				
<p>2) \$2,285,000 to the Department of General Services (194) for Consolidated Labs to include courier / dropbox enhancements, customer support upgrades, and Laboratory Information Management System (LIMS) infrastructure, development, and improvement.</p>				
<p>3) \$3,750,000 to the Department of Housing and Community Development (165) for a dedicated lead rehabilitation program to address childhood lead poisoning in residential properties.</p>				
<p>4) \$8,000,000 to the Department of Health (601) to address broadband connectivity and network infrastructure issues at local health departments. The department shall communicate a detailed plan and implementation schedule to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget by September 30, 2021. Additionally, the department shall report quarterly to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget on progress made, with the first progress report to be delivered not later than December 31, 2021.</p>				
<p>5) \$10,000,000 to the Department of Health (601) for the procurement and deployment of an electronic health records system. The department shall communicate a detailed plan and implementation schedule to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget by September 30, 2021. Additionally, the department shall report quarterly to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget on progress made, with the first progress report to be delivered not later than December 31, 2021.</p>				
<p>6) \$30,000,000 to the Department of Health (601) to target core building upgrades at local health departments to mitigate the impact of infrastructure that hinders the agency's ability to reach and serve at-risk communities. The department shall communicate a detailed plan and implementation schedule to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget by September 30, 2021. Additionally, the department shall report quarterly to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget on progress made, with the first progress report to be delivered not later than December 31, 2021.</p>				

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
7)	\$10,000,000 to the Department of Health (601) for the modernization of administrative systems and software in order to create response capacity during future emergencies. The department shall communicate a detailed plan and implementation schedule to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget by September 30, 2021. Additionally, the department shall report quarterly to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget on progress made, with the first progress report to be delivered not later than December 31, 2021.			
8)	\$1,000,000 to the Department of Health (601) for the creation of a Public Oral Health Taskforce aimed at strengthening public oral health and improving patient outcomes and experiences.			
9)	\$10,000,000 to the Department of Health (601) for a records management system that will digitize and automate records processes. The department shall communicate a detailed plan and implementation schedule to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget by September 30, 2021. Additionally, the department shall report quarterly to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget on progress made, with the first progress report to be delivered not later than December 31, 2021.			
10)	\$20,000,000 to the Department of Health (601) to provide targeted community outreach in difficult to reach communities harmed by COVID-19.			
11)	\$10,000,000 to the Department of Medical Assistance Services (602) to address operational backlogs by hiring contractors to assist with eligibility re-evaluations and member appeals. Funding <del>also will</del> <i>may</i> be used to perform COVID-19 related outreach and engagement activities, <i>make information technology system changes, and support overtime costs at local departments of social services.</i>			
12)	\$31,148,676 to the Department of Medical Assistance Services (602) to make payments to Medicaid-eligible nursing homes and specialized care providers equivalent to a \$5 per diem rate for service dates between July 1, 2021, and June 30, 2022. The department shall have the authority to work with necessary vendors and contractors to determine payment eligibility, amounts, and the process by which payments will be made. Final payments will be made by September 30, 2022. The department shall have the authority to implement such payments prior to the completion of any regulatory process to effect such changes. The Governor is authorized to adjust this SLRF appropriation to ensure that sufficient funding is available to make necessary payments.			
13)	\$528,300 to the Department for Aging and Rehabilitative Services (262) to fund HVAC/air quality systems and physical plant improvements in assisted living facilities that serve a disproportionate share of auxiliary grant residents.			
14)	\$1,000,000 to the Department of Social Services (765) <del>to support for the Virginia Trauma-Informed Community Network (TICN)</del> <i>Virginia trauma-informed community networks (TICNs)</i> to provide a community awareness campaign, education, professional development, mini grants, and other initiatives to support existing networks.			
15)	\$600,000 to the Department for the Blind and Vision Impaired (702) to construct an outdoor multi-purpose pavilion to allow activities to be conducted outdoors in a safer environment relative to COVID-19 transmission.			
16)	\$11,500,000 to the Department for the Blind and Vision Impaired (702) to renovate the Virginia Industries for the Blind facility in Charlottesville to ensure that an essential link in the pandemic supply chain is available.			
17)	\$450,000 to the Department for the Blind and Vision Impaired (702) to upgrade the ventilation systems in six agency offices.			
18)	\$1,393,085 to the Department of Emergency Management (127) for Virginia Emergency Support Team (VEST) COVID-19 recovery activities and four support staff.			

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
19) \$10,270,354 to the Department of Veterans Services (912) to address revenue shortfalls resulting from reduced census at Sitter & Barfoot Veterans Care Center and Virginia Veterans Care Center caused by COVID-19, and to provide support for temporary additional staff at state veterans cemeteries.				
20) a) \$50,000,000 to the Department of Military Affairs (123) for projects at Readiness Centers (armories) to replace HVAC systems and to convert or expand existing multi-purpose spaces or to add space that may be used as emergency medical suites and to provide the necessary support equipment. Priority for use of these funds shall be given to completing HVAC projects.				
b) No less than 60 days prior to initiating a project, the department shall submit preliminary plans and specifications along with cost estimates for review and approval by the Six-Year Capital Outlay Plan Advisory Committee.				
21) \$529,000 to the Department of Military Affairs (123) for Infrared Body Temperature Scanning equipment and personal protective equipment.				
22) <i>\$1,000,000 to the Department of Social Services (765) to upgrade mission critical network infrastructure.</i>				
q. Language Translation Capacity				
1) \$500,000 to the Office of the Governor (121), Office of Equity, Diversity, and Inclusion, for language access translation planning consulting services. Consulting services will include the development of a plan to determine which state agencies have the highest need for translation services, determination of the types of services needed, and the determination of the costs to implement such services in support of determining amounts to consider for inclusion in the budget for the 2022-2024 biennium. The Chief Diversity Officer shall provide a report on the results of the translation planning efforts to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2021.				
r. Addressing Community Violence				
1) \$2,500,000 to the Office of the Attorney General (141) for gun violence reduction projects in partnership with select localities.				
2) \$12,199,930 to the Department of Criminal Justice Services (140) to support services to victims of crime including, but not limited, services for victims of sexual assault and domestic violence, victims of elder abuse and child abuse, and victims of crime. The Department shall use these funds to support sexual assault and domestic violence applicants of the Victims Services Grant Program for Fiscal Year 2022 such that the amounts reduced from the competitive grant applications for this grant period, due to lack of funding, are fully restored.				
3) \$1,000,000 to the Department of Criminal Justice Services (140) to support the Virginia Sexual and Domestic Violence Victim Fund.				
4) \$800,000 to the Department of Criminal Justice Services (140) to provide a one-time grant to the City of Hampton to support an employment program for court-involved youths and adults facing barriers to employment, expand services for those participating in or at risk of participating in gun violence, and provide counseling or mental health services for those exposed to violence.				
5) <del>\$505,375</del> \$300,000 to the Department of Forensic Science (778) and \$205,375 to the Department of State Police (156) for the purchase of equipment to analyze firearms evidence.				
6) \$2,500,000 to the Department of Criminal Justice Services (140) to provide competitive one-time grants to groups providing community-based gun violence reduction or youth and gang violence intervention programming through initiatives including, but not limited to, those substantially similar to programs such as the Gang Reduction and Youth Development of Los Angeles and Operation Ceasefire of Boston models. In awarding such grants, the Department shall prioritize initiatives in localities experiencing higher				

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
than average levels of gun violence and those assessed pursuant to Item 406, Paragraph R of Chapter 1289 of the 2020 Session of the General Assembly.				
s. Public Safety				
1) \$375,000 to the Division of Capitol Police (961) to address staffing and security concerns at the seat of government. The funding shall be allocated subject to the approval of a spending plan by the Committee on Joint Rules that is consistent with federal requirements of the American Rescue Plan Act.				
2) \$33,179,883 to the Compensation Board (157) for a one-time hazard pay bonus of \$3,000 for state-supported sworn officers of Sheriff's Departments and Regional Jails. Furthermore, the Governor shall convene a work group to address the compensation structure for correctional officers at the Department of Corrections, deputy sheriffs within Sheriff's Departments, and regional jail officers. The workgroup shall include staff from the Department of Human Resource Management, the State Compensation Board, the Department of Corrections and the Joint Legislative Audit and Review Commission will deliver recommendations to the Governor and General Assembly by October 15, 2021.				
<i>a. Notwithstanding Chapter 1, 2021 Special Session II, Acts of Assembly, and Item 479.20, subdivision B.2.s.2) of this act, any locality that provides a bonus or salary increase equal to or greater than \$3,000 shall satisfy the requirements of this paragraph.</i>				
3) \$31,494,724 to the Department of Corrections (799) for COVID-19 testing in correctional facilities, including point prevalence testing at correctional facilities, antigen testing for non-vaccinated staff and visitors, equipment and supplies for COVID tests, and for wastewater surveillance testing. Also included in this amount is funding to support COVID-19 vaccination teams, to purchase equipment for the emergency disinfection team, to purchase personal protective equipment (PPE) for correctional facilities, and to support the expansion of telehealthcare.				
4) \$23,550,248 to the Department of Corrections (799) to support a one-time hazard pay bonus of \$3,000 for corrections and law enforcement staff.				
5) \$1,618,086 to the Department of Corrections (799) to support rate increases for medical contractors and five staff positions to support COVID-19 project management activities.				
6) \$45,000 to the Department of Corrections (799) to reimburse the contractor that operates the Lawrenceville Correctional Center for the cost of personal protective equipment (PPE).				
7) \$410,000 to the Department of Juvenile Justice (777) to provide quarantine spaces, tents to enable outdoor visitation, testing supplies, personal protective equipment, and ventilation modifications for facilities. Also included in this amount is funding for mobile smartphones, for medical tracking software, and for vaccination clinics for residents and staff.				
8) \$638,140 to the Department of Juvenile Justice (777) to provide hazard pay for probation and security staff and a sign-on bonus for cafeteria and janitorial workers.				
9) \$1,380,000 to the Department of State Police (156) to <i>establish server interfaces, install a computer network, and perform system testing for a live scan fingerprinting machine replacement project.</i> <del>purchase live scan fingerprinting machines for the agency's area offices.</del>				
10) a) \$20,000,000 to the Department of State Police (156) to provide one-time bonuses to sworn, law enforcement personnel. The department is authorized to pay bonuses to its sworn, law enforcement officers of: \$5,000 to all sworn, law enforcement officers, compression bonuses within a range equivalent to two and eight percent of salary as appropriate to qualifying officers, sign-on/recruitment bonuses to newly hired troopers of \$5,000, and retention bonuses as needed. In addition, these funds may be used to reimburse up to \$2,000 of relocation expenses for each newly hired trooper and any law enforcement personnel who is being relocated by the department.				
b) The department shall report its plan for allocating these funds to the permitted uses stated above in the compensation plan required in paragraph 5.k.5)b) of this item. In addition, no later than September 1, 2022, the department shall report the actual bonuses and expenses paid in fiscal year 2022.				

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
t. Elections				
1) \$1,500,000 to the Department of Elections (132) for voter education efforts to inform voters about new elections laws and to combat misinformation about Virginia elections.				
2) \$3,000,000 to the Department of Elections (132) to support local efforts to expand early voting to include the adoption of Sunday voting.				
u. ARPA Reporting				
1) \$540,000 to the Department of Accounts (151) for assistance in meeting American Rescue Plan Act (ARPA) reporting requirements.				
3.a. Prior to initiating any program, service, or spending from the appropriations listed in paragraph 2. above, the responsible agency must ensure that its intended action qualifies for the use of the funds under the ARPA criteria to support health expenditures, to address negative economic impacts caused by the public health emergency, to provide premium pay for essential workers, or to invest in water, sewer, and broadband infrastructure as described in the Interim Final Rule or the guidance issued by the U.S. Department of Treasury. Agencies shall not rely on the provisions for replacing lost public sector revenue as a qualifying criteria without receiving prior written approval from the Governor.				
b. Agencies must ensure compliance with all use, documentation, and reporting requirements established in state and federal guidelines and laws.				
4. The Governor is authorized to appropriate additional amounts not listed above if they must be executed before the 2022 regular session of the General Assembly in order to respond to a public health emergency or to prevent the emergence of a new health emergency. The Governor shall provide written notice to the chairpersons of the House Appropriations Committee and the Senate Finance and Appropriations Committee no less than five business days prior to appropriating such amounts.				
5. In addition to the amounts appropriated in the second year in the preceding subparagraphs of B.2. above, \$353,871,958 is authorized to be included in the Governor's introduced budget for the 2022-2024 biennium from SLRF amounts received from the federal government. The following agencies shall provide a plan for the proposed use of the SLRF amounts listed to the Governor and the Chairs of the House Appropriation and Senate Finance and Appropriations Committees via budget requests submitted to the Department of Planning and Budget on or before October 1, 2021.				
a. Unemployment Assistance				
1) \$17,600,000 to the Virginia Employment Commission (182) for information technology modernization, call center improvements, security, and claims adjudication. Information technology improvements shall include a customer relationship management system and other such communication tools to better serve Unemployment Insurance clients.				
b. Broadband				
1) \$1,500,000 to the Department of General Services (194) for legal and real estate transaction support for agencies that own property to support broadband expansion.				
2) \$8,000,000 to the Department of Housing and Community Development (165) for a Line Extension Customer Assistance Program to support the extension of existing broadband networks to low-to-moderate income residents.				
c. Other small business				
1) \$22,500,000 to the Department of Housing and Community Development (165) to support the Virginia Removal or Rehabilitation of Derelict Structures Fund program. Notwithstanding § 36-155, Code of Virginia, for the purposes of this funding, the maximum grant amount shall be \$5,000,000 for projects in economically distressed areas, and any grant award in excess of \$1,000,000 for projects in economically distressed areas shall be conditioned upon a 100 percent match of local and/or private funds by the local government. The funds shall be managed and awarded through the Industrial				

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Revitalization Fund process; however, the department may adjust the criteria to reflect the provisions established by the U.S. Department of the Treasury's rules and regulations regarding the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act. Pursuant to these provisions, DHCD shall increase project cap amounts and consider updates to program guidelines that make more projects viable, especially in communities disproportionately impacted by the pandemic. Where the proposed project's end user is a private business, DHCD shall include evaluation criteria that incentivizes significant private investment.</p> <p>2) \$4,000,000 to the Department of Housing and Community Development (165) to support the Virginia Main Street program in providing assistance to businesses recovering from the COVID-19 pandemic.</p> <p>d. Food Access</p> <p>1) \$11,000,000 to the Department of Agriculture and Consumer Services (301) for food assistance, including continuation of the Virginia Agriculture Food Assistance Program established in § 3.2-4783, Code of Virginia, and to expand the capacity of Virginia's network of food providers to accept, store, and distribute food products.</p> <p>e. CSOs and Wastewater</p> <p>1) \$5,750,000 to the Department of Health (601) to provide improvement funds for well and septic systems for homeowners at or below 200 percent of the federal poverty guidelines.</p> <p>f. Drinking Water</p> <p>1) \$50,000,000 to the Department of Health (601) to support equal access to drinking water at small and disadvantaged community waterworks. These funds shall be limited in their use to qualifying municipal and private drinking water projects and shall not be used for improvements to the department's internal systems, staffing, or processes.</p> <p>g. Mental Health</p> <p>1) \$76,900,000 to the Department of Behavioral Health and Developmental Services (720) for salary adjustments for direct care staff at state behavioral health facilities and intellectual disability training centers.</p> <p>2) \$20,000,000 to the Department of Behavioral Health and Developmental Services (720) for the continued expansion of community-based crisis services.</p> <p>3) \$1,200,000 to the Department of Behavioral Health and Developmental Services (720) for the purchase of personal protective equipment at state facilities.</p> <p>4) \$1,650,000 to the Department of Behavioral Health and Developmental Services (720) to continue an expanded pilot program in FY 2023 to serve approximately 60 additional individuals with a primary diagnosis of dementia who are ready for discharge from state geriatric behavioral health hospitals to the community and who are in need of nursing facility level care. Funding for the pilot program shall be dependent upon an agreement between the department and the Community Services Board in the jurisdiction the pilot program is located.</p> <p>5) \$3,000,000 to the Department of Criminal Justice Services (140) to provide resources for crisis intervention team training to law-enforcement officers and dispatchers, and one position to provide technical assistance in support of the mental health awareness response and community understanding services (Marcus) alert system.</p> <p>h. Substance Use Disorder</p> <p>1) \$5,000,000 to the Department of Health (601) for substance misuse and suicide prevention efforts.</p> <p>2) \$5,000,000 to the Department of Behavioral Health and Developmental Services (720) to expand community-based substance use disorder treatment services.</p> <p>i. Public Health Initiatives</p>				

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
1) \$4,756,000 to the Department of General Services (194) for Consolidated Labs to include customer support upgrades and Laboratory Information Management System (LIMS) infrastructure, development, and improvement.				
2) \$3,750,000 to the Department of Housing and Community Development (165) for a dedicated lead rehabilitation program to address childhood lead poisoning in residential properties.				
3) \$20,000,000 to the Department of Health (601) for the procurement and deployment of an electronic health records system.				
4) \$40,000,000 to the Department of Health (601) for the modernization of administrative systems and software in order to create response capacity during future emergencies.				
5) \$20,000,000 to the Department of Health (601) for a records management system that will digitize and automate records processes.				
6) \$5,000,000 to the Department of Medical Assistance Services (602) to address operational backlogs by hiring contractors to assist with eligibility re-evaluations and member appeals. Funding also will be used to perform COVID-19 related outreach and engagement activities.				
7) \$3,479,700 to the Department for Aging and Rehabilitative Services (262) to fund HVAC/air quality systems and physical plant improvements in assisted living facilities that serve a disproportionate share of auxiliary grant residents.				
j. Addressing Community Violence				
1) \$75,000 to the Department of Forensic Science (778) for the purchase of equipment used to analyze firearms evidence.				
k. Public Safety				
1) \$1,596,258 to the Department of Corrections (799) for five staff positions to support COVID-19 project management activities.				
2) \$135,000 to the Department of Corrections (799) to reimburse the contractor that operates the Lawrenceville Correctional Center for the cost of personal protective equipment (PPE).				
3) \$600,000 to the Department of Juvenile Justice (777) to fund mobile smartphones for agency staff.				
4) \$1,380,000 to the Department of State Police (156) to support live scan fingerprinting machines for the agency's area offices.				
5) a) \$20,000,000 to the Department of State Police (156) to implement a new compensation plan for sworn, law enforcement positions that addresses recruitment of new officers, retention of the existing law enforcement workforce, and pay compression among the various levels of the sworn, law enforcement positions in the department based upon the findings presented in the study required by paragraph b) below.				
b) The department shall convene a workgroup that shall include staff from the Department of Human Resource Management and the Joint Legislative Audit and Review Commission for the purpose of conducting a comprehensive study to document the current issues that create barriers to the department's ability to recruit and retain qualified and diverse law enforcement personnel. The study should address issues of pay compression among the various levels of the existing law enforcement workforce, competition with other employers for individuals with the same preferred qualifications and skill sets, and any other circumstances such as the cost of relocation that create barriers to maintaining a diverse, high quality law enforcement workforce. In addition, the report shall include a detailed plan for implementing a compensation program that responds to the issues and problems outlined in the report and the related annual costs to implement the plan beginning in fiscal year 2023, and the ongoing cost for the next five fiscal years. This plan shall be submitted to the Governor, the Chair of the House Appropriations Committee, the Chair of the Senate Finance and Appropriations Committee, the Director of the				

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

Department of Human Resource Management, and the Director of the Department of Planning and Budget, no later than October 15, 2021, so that the required funding may be included in the 2022-2024 budget to be adopted by the General Assembly at its 2022 Session.

C. 1. Out of the appropriation for this Item, amounts estimated at \$221,739,237 the second year from the estimated revenues to be received from the federal distributions of Capital Project Fund amounts from the American Rescue Plan Act of 2021 (ARPA) shall be transferred to Department of Housing and Community Development for the implementation of broadband improvement projects in the Commonwealth. The funds shall be managed and awarded through the Virginia Telecommunications Initiative grant making process; however, the agency may adjust the criteria to reflect the provisions established by the U.S. Department of the Treasury's rules and regulations established under the American Rescue Plan Act.

2. For grants awarded from the amounts appropriated in paragraphs C.1., B.2.b.2., and Item 114, Paragraph L. of Chapter 552, 2021 Acts of Assembly, Special Session I for the construction of broadband infrastructure through the Virginia Telecommunications Initiative, the Department of Housing and Community Development shall deliver an annual performance report to the Governor, Secretary of Commerce and Trade, and Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee on or before November 1st of each year, starting in Calendar Year 2022. To the extent possible, the annual performance report shall contain information by grant recipient and year on the following metrics: (1) Number of passings; (2) Grant dollars expended by fund source (State and Local Recovery Fund, Capital Project Fund, general fund state grants and match); (3) Contract performance period, and on-time progress towards project delivery; (4) Maximum advertised project speeds available; and, (5) Achievement of key project milestones. The annual performance report shall include an evaluation of any projects under risk of incompletion or underperformance. The Department of Housing and Community Development shall develop a public facing dashboard to be updated quarterly that contains key performance information by grant recipient and year, and includes the key performance indicators outlined above. Information in this public facing tool shall contain data beginning with grants awarded in the Fiscal Year 2022 Virginia Telecommunications Initiative grant cycle.

D.1. The appropriation in this item includes an amount estimated at ~~\$5,691,513,733~~ \$5,697,540,385 in the second year from the estimated revenues to be received pursuant to the American Rescue Plan Act of 2021 (ARPA) from grants other than the State and Local Recovery Fund (SLRF) and Capital Project Fund. The following appropriations shall be transferred from this item to the following:

RPA Fund Source / Grant	State Agency	FY 2022 Appropriation
State and Local Recovery Fund - Local (Non-Entitlement) - (US Treasury)	Department of Accounts Transfer Payments (162)	\$316,876,775
Emergency Rental Assistance (US Treasury)	Department of Housing and Community Development (165)	\$465,508,855
Elementary & Secondary School Emergency Relief (ESSER) - (US DOE)	Department of Education, Central Office Operations (201)	\$211,098,889
Elementary & Secondary School Emergency Relief (ESSER) - (US DOE)	Direct Aid to Public Education (197)	\$1,899,890,002
Elementary & Secondary School Emergency Relief Homeless Children and Youth (ESSER) - (US DOE)	Department of Education, Central Office Operations (201)	\$13,818,290
Emergency Assistance to Non-Public Schools (US DOE)	Department of Education, Central Office Operations (201)	\$46,344,360
Higher Education Emergency Relief Fund (HEERF) - Public & Non-Profit Institutions (US DOE)	Maintain Affordable Access (984)	\$667,275,718
IDEA - Grants to States (US DOE)	Direct Aid to Public Education (197)	\$67,450,511
IDEA - Preschool (US DOE)	Direct Aid to Public Education (197)	\$4,931,537
IDEA - Infants and Toddlers (US DOE)	Department of Behavioral Health and Developmental Services (720)	\$5,216,946
Child Care & Development Block Grant	Department of Education, Central Office	\$305,492,999



ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
(ACF)	Operations (201)			
Child Care Stabilization Grants (ACF)	Department of Education, Central Office Operations (201)		\$488,605,381	
Child Care Entitlement to States (ACF)	Department of Education, Central Office Operations (201)		\$13,091,800	
Low-income Home Energy Assistance Program (ACF)	Department of Social Services (765)		\$90,218,680	
Low-Income Household Water Assistance Program	Department of Social Services (765)		\$9,870,267	
Pandemic Emergency Assistance (ACF)	Department of Social Services (765)		\$15,744,856	
Community-based Child Abuse Prevention (ACF)	Department of Social Services (765)		\$6,231,546	
Family Violence Prevention and Services (ACF)	Department of Social Services (765)		<del>\$3,004,484</del> \$3,054,484	
Child Abuse State Grants (ACF)	Department of Social Services (765)		\$2,502,243	
Supportive Services (ACL)	Department for Aging and Rehabilitative Services (262)		\$11,109,729	
Home Delivered Meals (ACL)	Department for Aging and Rehabilitative Services (262)		\$7,245,476	
Congregate Meals (ACL)	Department for Aging and Rehabilitative Services (262)		\$10,868,214	
Preventive Services (ACL)	Department for Aging and Rehabilitative Services (262)		\$1,062,670	
Family Caregivers (ACL)	Department for Aging and Rehabilitative Services (262)		\$3,463,008	
Title XX Adult Services ( ACL)	Department for Aging and Rehabilitative Services (262)		\$2,021,926	
Title VII Long-term Care Ombudsman (ACL)	Department for Aging and Rehabilitative Services (262)		\$241,516	
Epidemiology and Lab Capacity for School Testing (CDC)	Department of Health (601)		\$244,000,000	
COVID-19 Vaccine Preparedness Adjustment (CDC)	Department of Health (601)		\$11,000,000	
Expand Genomic Sequencing (CDC)	Department of Health (601)		\$1,680,000	
Crisis Response Cooperative Agreement (CDC)	Department of General Services (194)		\$654,800	
Crisis Response Cooperative Agreement (CDC)	Department of Health (601)		\$30,500,000	
Disease Intervention Workforce (CDC)	Department of Health (601)		\$18,078,048	
Maternal, Infant and Early Childhood Home Visiting Grant Program (HRSA)	Department of Health (601)		\$449,000	
Small Rural Hospital Improvement Program (SHIP) (HRSA)	Department of Health (601)		\$5,167,520	
Mental Health Block Grant (SAMHSA)	Department of Behavioral Health and Developmental Services (720)		\$35,786,432	
Substance Abuse Block Grant (SAMHSA)	Department of Behavioral Health and Developmental Services (720)		\$33,982,454	
Community-based overdose prevention programs, syringe services programs, and other harm reduction services (HHS)	Department of Behavioral Health and Developmental Services (720)		\$750,000	
Funding For Community-Based Local Behavioral Health Needs (HHS)	Department of Behavioral Health and Developmental Services (720)		\$1,250,000	
SNAP 3-Year State Administrative Expense Grants (USDA)	Department of Social Services (765)		\$19,217,240	

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Pandemic EBT Administrative Grant	Department of Social Services (765)		\$10,000,000	
HOME Investment Partnerships Program - Non-entitlement (HUD)	Department of Housing and Community Development (165)		\$39,724,473	
Unemployment Insurance Extension Implementation Grants (US DOL)	Virginia Employment Commission (182)		\$556,712,639	
FTA Nonurbanized Area Formula - (US DOT)	Department of Rail and Public Transportation (505)		\$1,495,144	
Enhanced Mobility of Seniors & Persons with Disabilities - State (US DOT)	Department of Rail and Public Transportation (505)		\$890,896	
FTA Intercity Bus Formula	Department of Rail and Public Transportation (505)		\$2,307,909	
Emergency Management Performance Grants (FEMA)	Department of Emergency Management (127)		\$2,297,623	
Institute of Museum and Library Services (IMLS)	The Library Of Virginia (202)		\$3,872,000	
National Endowment for the Arts - State Arts Agencies	Virginia Commission for the Arts (148)		\$871,100	
Aid to State Veterans Homes - Construction (US VA)	Department of Veterans Services (912)		\$1,439,777	
Environmental Justice Cooperative Agreement Program (EPA)	Department of Environmental Quality (440)		\$200,000	
Homeless Service Sites & Congregate Settings (ELC)	Department of Health (601)		\$239,870	
Strengthening HAI & AR Program Capacity (SHARP) (ELC)	Department of Health (601)		\$1,362,745	
Nursing Home & Long-term Care Facility Strike Teams - SNF (ELC)	Department of Health (601)		\$834,930	
Nursing Home & Long-term Care Facility Strike Teams - NH & LTC (ELC)	Department of Health (601)		\$825,945	
Travelers Health Year 2 (ELC)	Department of Health (601)		\$197,917	
Expanding the Public Health Workforce Within the Disability Networks: Independent Living Services	Department for Aging and Rehabilitative Services (262)		\$200,000	
Expanding the Public Health Workforce w/n the Disability Network: AT St. Grants (ATPH)	Department for Aging and Rehabilitative Services (262)		\$80,000	
Expanding the Public Health Workforce within the Aging Network for States (STPH)	Department for Aging and Rehabilitative Services (262)		\$1,965,245	
Expanding the Public Health Workforce - No Wrong Door Systems/Aging & Disability Resource Centers	Department for Aging and Rehabilitative Services (262)		\$150,000	
Expanding the Public Health Workforce - Traumatic Brain Injury State Partnership Programs	Department for Aging and Rehabilitative Services (262)		\$120,000	

2. a. Out of the appropriation for the Elementary and Secondary School Emergency Relief (ESSER) Fund, State Educational Agency (SEA) reservation, appropriated to the Department of Education, Central Office Operations (201), \$3,500,000 the second year shall be transferred to Direct Aid to Public Education (197) to support the state and local shares of special education private day school costs for any student with a disability who received special education and related services in a private day school setting during the 2020-2021 school year and who opts for an extension to attend school during the 2021-2022 school year pursuant to Item 146.d. of Chapter 552, 2021 Acts of Assembly, Special Session I. Payments to school divisions to support special education private day school costs for such students shall deduct any amounts due to the school division pursuant to Item 146.d of Chapter 552 and the local match for those funds based on the composite index of local ability-to-pay. All

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

students who are provided the temporary extension of special education eligibility pursuant to Item 146.d of Chapter 552 shall be provided a free appropriate public education consistent with the federal Individuals with Disabilities Education Act for the duration of the 2021-2022 school year, notwithstanding such students' age or school setting. School divisions are encouraged to use federal ESSER Funds to meet the local share of costs for such students.

b. Out of the appropriation for the Elementary and Secondary School Emergency Relief (ESSER) Fund, State Educational Agency (SEA) reservation, appropriated to the Department of Education, Central Office Operations (201), \$11,500,000 the second year shall be transferred to Direct Aid to Public Education (197) to support recruitment efforts through incentive payments to individuals hired to fill instructional positions between August 15, 2021, and November 15, 2021. Local school divisions wishing to participate in this program shall report to the Department of Education the number of instructional position vacancies on August 15, 2021, no later than August 31, 2021. Based on this information, the Department shall communicate to each school division its available allocation from these funds, and school divisions shall communicate the availability of these funds in their recruitment. Such payments shall be based on \$2,500 per individual; however, for individuals hired in hard-to-fill positions or hard-to-staff schools, as defined by the Department of Education, the incentive payment shall be based on \$5,000 per individual. The Department of Education and the school divisions are authorized to prorate these amounts if the demand exceeds the initial allocation. School divisions shall (i) provide half of the incentive payment to the individual no earlier than January 1, 2022, and (ii) provide the balance of the full amount of the incentive payment to the individual no earlier than May 1, 2022, provided that the individual receives a satisfactory performance evaluation and provides a written commitment to return to the same school in the 2022-2023 school year. Individuals who are employed by a local school division in Virginia as of July 1, 2021, who accept an otherwise qualifying position in another local school division are not eligible for this incentive. Individuals employed by a local school division as of July 1, 2021, who transfer from a non-hard-to-staff school to a hard-to-staff school, as defined by the Department of Education, within the same division are eligible for the \$5,000 incentive payment. School divisions shall report to the Department of Education, in a format specified by the Department, all instructional hires in the 2021-2022 school year who qualify for this incentive payment, no later than November 30, 2021. No later than the first day of the 2022 General Assembly Session, the Department of Education shall report on the number of hires reported by each school division participating in this program and the anticipated amount of funding to be provided to each school division for payment to those individuals.

3. The Director of the Department of Planning and Budget is authorized to adjust the amounts appropriated in paragraph D.1. above to reflect the actual revenues received by the Commonwealth for each grant.

4.a. Agencies are authorized to initiate spending in the second year from these appropriations in order to provide one-time services for purposes authorized and permitted under federal law and in accordance with the guidance issued by the U.S. Department of Treasury and other applicable federal agencies, or to execute requirements of federal law that must be initiated. No such spending shall be initiated for programs or services that create an ongoing commitment of state resources after the conclusion of the federal grant unless such services are required by federal law.

b. Prior to initiating any program, service, or spending from these appropriations, the responsible agency must provide written notification of its intended action to the Governor, the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee, and the Director of the Department of Planning and Budget. Such notice shall be provided no less than ten business days before an agency initiates services or incurs any costs associated with the grant. For purposes of this section, initiating a program includes any public announcement or proposal presented to constituent groups.

c. If an agency wishes to spend any amounts from these grants for purposes that create an ongoing commitment that must be maintained by state resources after the conclusion of the federal grant, it must receive prior approval and authorization of the General

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

Assembly. Agencies must submit such proposals to the Department of Planning and Budget for consideration by the Governor and the General Assembly for the 2022-2024 biennial budget.

d. Agencies must ensure compliance with all use, documentation, and reporting requirements established in state and federal guidelines and laws.

e. The Governor is authorized to appropriate any additional grants not listed above if they must be executed before the 2022 regular session of the General Assembly. The Governor shall provide written notice to the chairpersons of the House Appropriations Committee and the Senate Finance and Appropriations Committee no less than five business days prior to appropriating such grants.

E.1. Effective July 1, 2021, through June 30, 2022, the Department of Medical Assistance Services (DMAS) shall temporarily increase the rates by 12.5 percent for all home and community based services eligible under guidance from the Centers for Medicaid and Medicare Services, except that for agency and consumer directed personal care, respite, and companion services in the home and community based services waivers and Early Periodic Screening, Diagnosis and Treatment (EPSDT) program, this temporary rate increase is effective until December 31, 2021. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

2. The Department of Medical Assistance Services (DMAS) shall seek federal authority through the necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to issue one-time COVID-19 support directed payments in the amount of \$1,000 to Agency Directed personal care providers and Consumer Directed Attendants who provided personal care, attendant care, respite care, or companion care services to members who receive services via the EPSDT, Developmental Disability Waivers or the Commonwealth Coordinated Care Plus Waiver program during the first quarter of state fiscal year 2022. DMAS shall have the authority to work with necessary vendors and contractors to determine payment eligibility and the process by which payments will be made. The department shall have the authority to implement necessary changes prior to the completion of any regulatory process undertaken in order to effect such change. Effective October 1, 2021, DMAS shall begin implementing these processes and make payments as soon as administratively feasible.

3. The Department of Medical Assistance Services (DMAS) shall develop strategies, for consideration by the 2022 General Assembly, to re-invest general fund dollars freed-up by the enhanced federal match on home and community based services (HCBS). These strategies should enhance the Commonwealth's HCBS by creating capacity to meet the growing demand for HCBS and support structural changes needed to strengthen the HCBS systems. In addition, DMAS shall work with the Department of Behavioral Health and Developmental Services and the Centers for Medicaid and Medicare Services to identify any opportunities to use HCBS reinvestment dollars to divert individuals who are at risk of institutionalization in state facilities. DMAS shall prioritize those strategies that do not require significant on-going obligations or rely on rate increases. By October 1, 2021, DMAS shall report these strategies, including six year cost projections, to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget.

F. Notwithstanding any requirement in state law or regulation, the Superintendent of Public Instruction, with the support of the Commissioner of Social Services, shall have the authority to alter staff-to-child ratios and group sizes for licensed child day centers and child day centers that participate in the Child Care Subsidy Program by increasing the number of children per staff by (1) one child for groups of children from birth to the age of eligibility to attend public school, and (2) two children for groups of children from the age of eligibility to attend public school through 12 years. Child day centers that take advantage of this flexibility must notify families in writing of the temporary increase in ratios and group size. This authority and any resultant waiver of state law or regulation shall expire June 30, 2022. The Superintendent of Public Instruction shall ensure that any action taken under this provision is permissible under federal requirements.

G. Temporary nurse aides practicing in long term care facilities under the federal Public

ITEM 479.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>Health Emergency 1135 Waiver may be deemed eligible by the Board of Nursing while this waiver is in effect to take the National Nurse Aide Assessment Program examination upon submission of a completed application, the employer's written verification of competency and employment as a temporary nurse aide, and provided no other grounds exist under Virginia law to deny the application.</p> <p>H. The Department of Behavioral Health and Developmental Services shall interpret Standard 12VAC35-105-530 E. to include "lack of adequate staff" as one of the conditions which can jeopardize the health, safety or welfare of individuals and/or employees to permit implementation of the emergency evacuation plan in accordance with Paragraphs A. (as applicable), B. &amp; G. DBHDS shall, if necessary, increase the licensed capacity for a minimum of six months for any location within 24 hours of receiving notice either verbally or via electronic communication to ensure that compliance is maintained with Department of Medical Assistance Regulation 12VAC30-122. Variances shall be granted for standards 12VAC35-105-340 and/or 360 as requested. This requirement shall end on June 30, 2022.</p> <p>I.1. Nurse practitioners licensed by the Boards of Medicine and Nursing in the category of clinical nurse specialist shall practice in consultation with a licensed physician in accordance with a practice agreement between the nurse practitioner and the licensed physician.</p> <p>2. Notwithstanding the provisions of paragraph I.1. of this item, a nurse practitioner who was registered with the Board of Nursing as a clinical nurse specialist immediately prior to July 1, 2021, may practice without a practice agreement with a licensed physician if such nurse practitioner practices without prescriptive authority. This provision shall expire after June 30, 2022.</p> <p>J. Any amounts appropriated in this item that remain unspent at the end of any fiscal year shall be reappropriated in the next fiscal year to be spent for the same purposes as stated in this act.</p>				
480.	Not set out.			
481.	Not set out.			
482.	Not set out.			
482.10	Not set out.			
482.20	Omitted.			
Total for Central Appropriations.....			<b>\$63,830,293</b>	<b><del>\$9,502,226,343</del></b> <b>\$9,604,781,773</b>
Fund Sources: General.....	(\$9,023,428)	<del>\$336,918,851</del> \$336,159,327		
Higher Education Operating.....	\$3,525,816	<del>\$3,525,816</del> \$553,309		
Trust and Agency.....	\$69,327,905	\$69,327,905		
Federal Trust.....	\$0	<del>\$9,092,453,771</del> \$9,198,741,232		
TOTAL FOR CENTRAL APPROPRIATIONS.....			<b>\$63,830,293</b>	<b><del>\$9,502,226,343</del></b> <b>\$9,604,781,773</b>
Fund Sources: General.....	(\$9,023,428)	<del>\$336,918,851</del> \$336,159,327		
Higher Education Operating.....	\$3,525,816	<del>\$3,525,816</del> \$553,309		
Trust and Agency.....	\$69,327,905	\$69,327,905		
Federal Trust.....	\$0	<del>\$9,092,453,771</del> \$9,198,741,232		

ITEM 482.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
TOTAL FOR EXECUTIVE DEPARTMENT.....			<b>\$65,769,183,994</b>	<b>\$78,547,425,102</b> <b>\$81,401,885,120</b>
General Fund Positions.....	48,937.16	49,354.22 49,412.22		
Nongeneral Fund Positions.....	66,615.62	67,160.46 67,176.46		
Position Level.....	115,552.78	116,514.68 116,588.68		
Fund Sources: General.....	\$22,086,174,841	\$24,598,282,737 \$25,142,109,980		
Special.....	\$1,652,938,794	\$1,616,062,699 \$1,620,435,325		
Higher Education Operating.....	\$9,675,880,238	\$9,830,927,696 \$9,831,455,189		
Commonwealth Transportation.....	\$7,452,158,239	\$7,545,441,398 \$8,008,791,423		
Enterprise.....	\$1,634,763,263	\$1,683,280,334		
Internal Service.....	\$2,127,455,883	\$2,293,917,698		
Trust and Agency.....	\$2,428,022,502	\$2,486,301,516 \$2,546,199,124		
Debt Service.....	\$358,087,772	\$358,087,772		
Dedicated Special Revenue.....	\$3,538,334,356	\$3,776,514,062 \$4,079,846,332		
Federal Trust.....	\$14,815,368,106	\$24,358,609,190 \$25,837,761,943		

ITEM 483.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

**INDEPENDENT AGENCIES**

- 483. Not set out.
- 484. Not set out.
- 485. Not set out.
- 486. Not set out.
- 487. Not set out.
- 488. Not set out.
- 489. Not set out.
- 490. Not set out.
- 491. Not set out.
- 492. Not set out.
- 493. Not set out.
- 494. Not set out.
- 495. Not set out.
- 496. Not set out.
- 497. Not set out.
- 497.10 Not set out.

TOTAL FOR INDEPENDENT AGENCIES.....			<b>\$1,052,416,223</b>	<b>\$1,064,550,621</b>
Nongeneral Fund Positions.....	1,925.00	1,944.00		
Position Level.....	1,925.00	1,944.00		
Fund Sources: General.....	\$2,418,671	\$2,843,671		
Special.....	\$112,646,104	\$107,378,939		
Enterprise.....	\$766,813,839	\$754,665,405		
Trust and Agency.....	\$114,366,642	\$115,198,839		
Dedicated Special Revenue.....	\$52,108,967	\$80,401,767		
Federal Trust.....	\$4,062,000	\$4,062,000		

ITEM 498.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<b>STATE GRANTS TO NONSTATE ENTITIES</b>				
498.	Not set out.			
TOTAL FOR STATE GRANTS TO NONSTATE ENTITIES.....			\$0	\$0
TOTAL FOR PART 1: OPERATING EXPENSES.....			<b>\$67,494,854,807</b>	<b>\$80,308,247,697</b> <b>\$83,164,773,196</b>
General Fund Positions.....	53,053.37	<del>53,582.43</del> 53,642.43		
Nongeneral Fund Positions.....	68,768.12	<del>69,242.96</del> 69,258.96		
Position Level.....	121,821.49	<del>122,825.39</del> 122,901.39		
Fund Sources: General.....	\$22,720,454,731	<del>\$25,256,005,011</del> \$25,801,632,412		
Special.....	\$1,779,847,212	<del>\$1,737,703,952</del> \$1,742,076,578		
Higher Education Operating.....	\$9,675,880,238	<del>\$9,830,927,696</del> \$9,831,455,189		
Commonwealth Transportation.....	\$7,452,158,239	<del>\$7,545,441,398</del> \$8,008,791,423		
Enterprise.....	\$2,401,577,102	\$2,437,945,739		
Internal Service.....	\$2,127,455,883	\$2,293,917,698		
Trust and Agency.....	\$2,542,512,823	<del>\$2,601,624,034</del> \$2,661,521,642		
Debt Service.....	\$358,087,772	\$358,087,772		
Dedicated Special Revenue.....	\$3,615,998,362	<del>\$3,882,470,868</del> \$4,186,068,461		
Federal Trust.....	\$14,820,882,445	<del>\$24,364,123,529</del> \$25,843,276,282		



Item Details(\$)		Appropriations(\$)	
First Year	Second Year	First Year	Second Year
FY2021	FY2022	FY2021	FY2022

## PART 2: CAPITAL PROJECT EXPENSES

### § 2-0. GENERAL CONDITIONS

A.1. The General Assembly hereby authorizes the capital projects listed in this act. The amounts hereinafter set forth are appropriated to the state agencies named for the indicated capital projects. Amounts so appropriated and amounts reappropriated pursuant to paragraph G. of this section shall be available for expenditure during the current biennium, subject to the conditions controlling the expenditures of capital project funds as provided by law. Reappropriated amounts, unless otherwise stated, are limited to the unexpended appropriation balances at the close of the previous biennium, as shown by the records of the Department of Accounts.

2. The Director, Department of Planning and Budget, may transfer appropriations listed in Part 2 of this act from the second year to the first year in accordance with § 4-1.03 c.5. of this act.

B. The five-digit number following the title of a project is the code identification number assigned for the life of the project.

C. Except as herein otherwise expressly provided, appropriations or reappropriations for structures may be used for the purchase of equipment to be used in the structures for which the funds are provided, subject to guidelines prescribed by the Governor.

D. Notwithstanding any other provisions of law, appropriations for capital projects shall be subject to the following:

1. Appropriations or reappropriations of funds made pursuant to this act for planning of capital projects shall not constitute implied approval of construction funds in a future biennium. Funds, other than the reappropriations referred to above, for the preparation of capital project proposals must come from the affected agency's existing resources.

2. No capital project for which appropriations for planning are contained in this act, nor any project for which appropriations for planning have been previously approved, shall be considered for construction funds until preliminary plans and cost estimates are reviewed by the Department of General Services. The purpose of this review is to avoid unnecessary expenditures for each project, in the interest of assuring the overall cost of the project is reasonable in relation to the purpose intended, regardless of discrete design choices.

E.1. Expenditures from Items in this act identified as "Maintenance Reserve" are to be made only for the maintenance of property, plant, and equipment as defined in § 4-4.01 c. of this act to the extent that funds included in the appropriation to the agency for this purpose in Part 1 of this act are insufficient.

2. Agencies and institutions of higher education can expend up to \$2,000,000 for a single repair or project, and up to \$4,000,000 for a roof replacement project, through the maintenance reserve appropriation. Such expenditures shall be subject to rules and regulations prescribed by the Governor. To the extent an agency or institution of higher education has identified a potential project that exceeds this threshold, the Director, Department of Planning and Budget, can provide exemptions to the threshold as long as the project still meets the definition of a maintenance reserve project as defined by the Department of Planning and Budget.

3. Only facilities supported wholly or in part by the general fund shall utilize general fund maintenance reserve appropriations. Facilities supported entirely by nongeneral funds shall accomplish maintenance through the use of nongeneral funds.

#### F. Conditions Applicable to Bond Projects

1. The capital projects listed in §§ 2-26 and 2-27 for the indicated agencies and institutions of higher education are hereby authorized and sums from the sources and in the amount indicated are hereby appropriated and reappropriated. The issuance of bonds in a principal amount plus amounts needed to fund issuance costs, reserve funds, and other financing expenses, including capitalized interest for any project listed in §§ 2-26 and 2-27 is hereby authorized.

2. The issuance of bonds for any project listed in § 2-26 is to be separately authorized pursuant to Article X, Section 9 (c), Constitution of Virginia.

3. The issuance of bonds for any project listed in §§ 2-26 or 2-27 shall be authorized pursuant to § 23.1-1106, Code of Virginia.

4. In the event that the cost of any capital project listed in §§ 2-26 and 2-27 shall exceed the amount appropriated therefore, the Director, Department of Planning and Budget, is hereby authorized, upon request of the affected institution, to approve an increase in appropriation authority of not more than ten percent of the amount designated in §§ 2-26 and 2-27 for such project, from any available nongeneral fund revenues, provided that such increase shall not constitute an increase in debt issuance authorization for such capital project. Furthermore, the Director, Department of Planning and Budget, is hereby authorized to approve the expenditure of all interest earnings derived from the investment of bond proceeds in addition to the amount designated in §§ 2-26 and 2-27 for such capital project.

Item Details(\$)		Appropriations(\$)	
First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

5. The interest on bonds to be issued for these projects may be subject to inclusion in gross income for federal income tax purposes.

6. Inclusion of a project in this act does not imply a commitment of state funds for temporary construction financing. In the absence of such commitment, the institution may be responsible for securing short-term financing and covering the costs from other sources of funds.

7. In the event that the Treasury Board determines not to finance all or any portion of any project listed in § 2-26 of this act with the issuance of bonds pursuant to Article X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the contrary, this act shall constitute the approval of the General Assembly to finance all or such portion of such project under the authorization of § 2-27 of this act.

8. The General Assembly further declares and directs that, notwithstanding any other provision of law to the contrary, 50 percent of the proceeds from the sale of surplus real property pursuant to § 2.2-1147 et seq., Code of Virginia, which pertain to the general fund, and which were under the control of an institution of higher education prior to the sale, shall be deposited in a special fund set up on the books of the State Comptroller, which shall be known as the Higher Education Capital Projects Fund. Such sums shall be held in reserve, and may be used, upon appropriation, to pay debt service on bonds for the 21st Century College Program as authorized in Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.

9. Notwithstanding any other provision of law, a public institution of higher education may participate in the United States Department of Education Historically Black College and University Capital Financing Program (HBCU Program), and use federal grant and contract funds as permitted by the Program.

G. Upon certification by the Director, Department of Planning and Budget, there is hereby reappropriated the appropriations unexpended at the close of the previous biennium for all authorized capital projects which meet any of the following conditions:

1. Construction is in progress.
2. Equipment purchases have been authorized by the Governor but not received.
3. Plans and specifications have been authorized by the Governor but not completed.
4. Obligations were outstanding at the end of the previous biennium.

#### H. Alternative Financing

1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no less than 30 days prior to entering into such alternative financing agreement. This report shall provide:

- a. a description of the purpose to be achieved by the proposal;
- b. a description of the financing options available, including the alternative financing, which will delineate the revenue streams or client populations pledged or encumbered by the alternative financing;
- c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth;
- d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or institution; and
- e. a recommendation and planned course of action based on this analysis.

#### I. Conditions Applicable to Alternative Financing

The following authorizations to construct, purchase, lease or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, are continued until revoked:

##### 1. James Madison University

a. Subject to the provisions of this act, the General Assembly authorizes James Madison University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.

b. The General Assembly authorizes James Madison University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in

Item Details(\$)		Appropriations(\$)	
First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

accordance with the guidelines cited in paragraph 1 of this item. James Madison University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

c. The General Assembly further authorizes James Madison University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

d. James Madison University is further authorized to convey fee simple title in and to one or more parcels of land to James Madison University Foundation (JMUF), which will develop and use the land for the purpose of developing and establishing residential housing for students and/or faculty and staff, office, retail, athletics, dining, student services, and other auxiliary activities and commercial land use in accordance with the University's Master Plan.

2. Longwood University

a. Subject to the provisions of this act, the General Assembly authorizes Longwood University to enter into a written agreement or agreements with the Longwood University Real Estate Foundation (LUREF) for the development, design, construction and financing of student housing projects, a convocation center, parking, and operational and recreational facilities through alternative financing agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

b. Longwood is further authorized to enter into a written agreement with the LUREF for the support of such student housing, convocation center, parking, and operational and recreational facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

c. The General Assembly further authorizes Longwood University to enter into a written agreement with a public or private entity to plan, design, develop, construct, finance, manage and operate a facility or facilities to provide additional student housing and/or operational-related facilities. Longwood University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenue bonds issued by or for the benefit of LUREF will provide construction and/or permanent financing.

d. Longwood University is further authorized to convey fee simple title in and to one or more parcels of land to LUREF, which will develop and use the land for the purpose of developing and establishing residential housing for students and/or faculty and staff, office, retail, athletics, dining, student services, and other auxiliary activities and commercial land use in accordance with the University's Master Plan.

3. Christopher Newport University

a. Subject to the provisions of this act, the General Assembly authorizes Christopher Newport University to enter into, continue, extend or amend written agreements with the Christopher Newport University Educational Foundation (CNUEF) or the Christopher Newport University Real Estate Foundation (CNUREF) in connection with the refinancing of certain housing and office space projects.

b. Christopher Newport University is further authorized to enter into, continue, extend or amend written agreements with CNUEF or CNUREF to support such facilities including agreements to (i) lease all or a portion of such facilities from CNUEF or CNUREF, (ii) include such facilities in the University's building inventory, (iii) manage the operation and maintenance of the facilities, including collection of any rental fees from University students in connection with the use of such facilities, and (iv) otherwise support the activities at such facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligation under any documents or instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

4. Radford University

a. Subject to the provisions of this act, the General Assembly authorizes Radford University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.

Item Details(\$)		Appropriations(\$)	
First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

b. The General Assembly authorizes Radford University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. Radford University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

c. The General Assembly further authorizes Radford University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

#### 5. University of Mary Washington

a. Subject to the provisions of this act, the General Assembly authorizes the University of Mary Washington to enter into a written agreement or agreements with the University of Mary Washington Foundation (UMWF) to support student housing projects and/or operational-related or other facilities through alternative financing agreements including public-private partnerships and leasehold financing arrangements.

b. The University of Mary Washington is further authorized to enter into written agreements with UMWF to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's students housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) seek to obtain police power over the student housing as provided by law; and (v) otherwise support the students housing facilities consistent with law, provided that the University's obligation under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

c. The General Assembly further authorizes the University of Mary Washington to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional student housing and/or operational-related facilities. The facility or facilities may or may not be located on property owned by the Commonwealth. The University of Mary Washington is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenue bonds issued by or for UMWF will provide construction and/or permanent financing.

d. The University of Mary Washington is further authorized to convey fee simple title in and to one or more parcels of land to the University of Mary Washington Foundation (UMWF) which will develop and use the land for the purpose of developing and establishing residential housing for students, faculty, or staff, recreational, athletic, and/or operational related facilities including office, retail and commercial, student services, or other auxiliary activities.

#### 6. Norfolk State University

a. Subject to the provisions of this act, the General Assembly authorizes Norfolk State University to enter into a written agreement or agreements with a Foundation of the University for the development of one or more student housing projects on or adjacent to campus, subject to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.

b. Norfolk State University is further authorized to enter into written agreements with a Foundation of the University to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's student housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) restrict construction of competing student housing projects; (v) seek to obtain police power over the student housing as provided by law; and (vi) otherwise support the student housing facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

#### 7. Northern Virginia Community College - Alexandria Campus

The General Assembly authorizes Northern Virginia Community College, Alexandria Campus to enter into a written agreement either with its affiliated foundation or a private contractor to construct a facility to provide on-campus housing on College land to be leased to said foundation or private contractor for such purposes. Northern Virginia Community College, Alexandria Campus, is also authorized to enter into a written agreement with said foundation or private contractor for the support of such student housing facilities and management of the operation and maintenance of the same.

Item Details(\$)		Appropriations(\$)	
First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

8. Virginia State University

a. Subject to the provisions of this act, the General Assembly authorizes Virginia State University (University) to enter into a written agreement or agreements with the Virginia State University Foundation (VSUF), Virginia State University Real Estate Foundation (VSUREF), and other entities owned or controlled by the university for the development, design, construction, financing, and management of a mixed-use economic development corridor comprising student housing, parking, and dining facilities through alternative financing agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

b. Virginia State University is further authorized to enter into a written agreement with the VSUREF, VSUF, and other entities owned or controlled by the university for the support of such a mixed-use economic development corridor comprising student housing, parking, and dining facilities by including these projects in the university's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other university facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the university shall not be required to take any action that would constitute a breach of the university's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the university or the Commonwealth of Virginia.

9. College of William and Mary

a. Subject to the provisions of this act, the General Assembly authorizes the College of William and Mary, with the approval of the Governor, to explore and evaluate alternative financing scenarios to provide additional parking, student or faculty/staff housing, recreational, athletic and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board guidelines issued pursuant to § 23.1-1106 C.1. (d), Code of Virginia.

b. The General Assembly authorizes the College of William and Mary to enter into written agreements with public or private entities to design, construct, and finance a facility or facilities to provide additional parking, student or faculty/staff housing, recreational, athletic, and/or operational related facilities. The facility or facilities may be on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. The College of William and Mary is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facility.

c. The General Assembly further authorizes the College of William and Mary to enter into written agreements with the public or private entities for the support and operation of such parking, student or faculty/staff housing, recreational, athletic, and /or operational related facilities by including the facilities in the College's facility inventory and managing their operation and maintenance including the assignment of parking authorizations, students, faculty or staff, and operations to the facility in preference to other university facilities, limiting construction of competing projects, and by otherwise supporting the facilities consistent with law, provided that the Collage shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the College or the Commonwealth of Virginia.

d. The College of William and Mary is further authorized to convey fee simple title in and to one or more parcels of land to the William and Mary Real Estate Foundation (WMREF) which will develop and use the land for the purpose of developing and establishing residential housing for students, faculty, or staff, recreational, athletic, and/or operational related facilities including office, retail and commercial, student services, or other auxiliary activities.

10. The following individuals, and members of their immediate family, may not engage in an alternative financing arrangement with any agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest:

- a. A member of the agency or institution's governing body;
- b. Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement; or
- c. Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement.

J. 1. Appropriations contained in this act for capital project planning shall be used as specified for each capital project and construction funding for the project shall be considered by the General Assembly after determining that (1) project cost is reasonable; (2) the project remains a highly-ranked capital priority for the Commonwealth; and (3) the project is fully justified from a space and programmatic perspective.

2. Appropriations reappropriated for institutions of higher education, in accordance with § 23.1-1002, Code of Virginia, may be used to fund the detailed planning authorized for projects in this act and shall be reimbursed when the project is funded to move into the construction phase.

K. Any capital project that has received a supplemental appropriation due to cost overruns is expected to be completed within the

Item Details(\$)		Appropriations(\$)	
First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

revised budget provided. If a project requires an additional supplement, the Governor should also consider reduction in project scope or cancelling the project before requesting additional appropriations. Agencies and institutions with nongeneral funds may bear the costs of additional overruns from nongeneral funds.

L. The Governor shall consider the project life cycle cost that provides the best long-term benefit to the Commonwealth when conducting capital project reviews, design and construction decisions, and project scope changes.

M. No structure, improvement or renovation shall occur on the state property located at the Carillon in Byrd Park in the City of Richmond without the approval of the General Assembly.

N. All agencies of the Commonwealth and institutions of higher education shall provide information and/or use systems and processes in the method and format as directed by the Director, Department of General Services, on behalf of the Six-Year Capital Outlay Plan Advisory Committee, to provide necessary information for state-wide reporting. This requirement shall apply to all projects, including those funded from general and nongeneral fund sources.

O. The Director, Department of Planning and Budget, in consultation with the Six-Year Capital Outlay Plan Advisory Committee, is authorized to transfer bond appropriations and bond proceeds between and among the capital pool projects listed in the table below, in order to address any shortfall in appropriation in one or more of such projects:

Pool Project No.	Pool Project Title	Authorization
17775	Public Education Institutions Capital Account	Enactment Clause 2, § 4, Chapter 1, 2008 Acts of Assembly, Special Session I
17776	State Agency Capital Account	Enactment Clause 2, § 2, Chapter 1, 2008 Acts of Assembly, Special Session I
17861	Supplements for Previously Authorized Higher Education Capital Projects	Item C-85, Chapter 874, 2010 Acts of Assembly; amended by Item C-85, Chapter 890, 2011 Acts of Assembly
17862	Energy Conservation	Item C-86, Chapter 890, 2011 Acts of Assembly
17967	Capital Outlay Project Pool	Item C-38.10, Chapter 3, 2012 Acts of Assembly, Special Session I; amended by: Item C-38.10, Chapter 806, 2013 Acts of Assembly; by Item C-38.10, Chapter 1, 2014 Acts of Assembly, Special Session I; Item C-43, Chapter 2, 2014 Acts of Assembly, Special Session I; Item C-43, Chapter 665, 2015 Acts of Assembly; and Item 48.10, Chapter 836, 2017 Acts of Assembly; and Item C-44.10, Chapter 854, 2019 Acts of Assembly.
18049	Comprehensive Capital Outlay Program	Item C-39.40, Chapter 806, 2013 Acts of Assembly; amended by: Item C-39.40, Chapter 1, 2014 Acts of Assembly, Special Session I; Item C-46.10, Chapter 2, 2014 Acts of Assembly, Special Session I, Item 46.10, Chapter 665, 2015 Acts of Assembly, and Item C-46, Chapter 2, 2018 Acts of Assembly, Special Session I.
18196	Capital Outlay Renovation Pool	Item C-46.15, Chapter 665, 2015 Acts of Assembly; amended by: Item C-46.10, Chapter 854, 2019 Acts of Assembly.
18300	2016 VPBA Capital Construction Pool	§ 1, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-47, Chapter 2, 2018 Acts of Assembly, Special Session I.
18301	2016 VCBA Capital Construction Pool	§ 2, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-48, Chapter 2, 2018 Acts of Assembly, Special Session I.
18371	2018 Capital Construction Pool	Item C-45, Chapter 2, 2018 Acts of Assembly, Special Session I; amended by:

		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
					Item C-45, Chapter 854, 2019 Acts of Assembly.
18382	Supplemental funding: Capitol Complex Infrastructure and Security				Item C-51.50, Chapter 2, 2018 Acts of Assembly, Special Session I; amended by: Item C-51.50, Chapter 854, 2019 Acts of Assembly.
18408	2019 Capital Construction Pool				Item C-48.10, Chapter 854, 2019 Acts of Assembly.
18493	2020 VPBA Construction Pool				Item C-67 of this act.
18494	2020 VCBA Constructions Pool				Item C-68 of this act.
18145	Supplement Previously Authorized Capital Project Construction Pools				Item C-69 of this act.
18540	2021 Capital Construction Pool				Item C-68.50 of this act.

P. Not more than a total aggregate principal amount of \$250 million in debt obligations shall be issued excluding refunding bonds in any fiscal year for the capital projects listed in Items C-67 and C-68 of this act, provided, however, that if less than a total aggregate principal amount of \$250 million in debt obligations is incurred in any fiscal year for such capital projects, the unused amount may be added to any subsequential fiscal year. Issuance of debt shall proceed so that the projected average annual debt service on all tax-supported debt over the 10-year horizon shall be in accordance with the guidelines established by the Debt Capacity Advisory Committee. The Six-Year Capital Outlay Plan Advisory Committee shall establish procedures to ensure compliance with the annual issuance limits and shall meet at least quarterly to review progress.

**EXECUTIVE DEPARTMENT**

**OFFICE OF ADMINISTRATION**

- C-1. Not set out.
- C-1.10 Not set out.
- C-1.20 Not set out.
- C-1.30 Not set out.

TOTAL FOR OFFICE OF ADMINISTRATION.....			<b>\$17,800,000</b>	<b>\$22,052,000</b>
Fund Sources: General.....	\$0	\$17,540,000		
Bond Proceeds.....	\$17,800,000	\$4,512,000		

**OFFICE OF AGRICULTURE AND FORESTRY**

- C-2. Not set out.

TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY.....			<b>\$5,110,191</b>	<b>\$6,725,000</b>
Fund Sources: Dedicated Special Revenue.....	\$5,110,191	\$5,725,000		
Federal Trust.....	\$0	\$1,000,000		

**OFFICE OF EDUCATION**

**§ 2-1. CHRISTOPHER NEWPORT UNIVERSITY (242)**

- C-3. Not set out.
  - C-4. New Construction: Integrated Science Center, Phase III (18496).....
- |  |  |  |             |             |
|--|--|--|-------------|-------------|
|  |  |  | \$2,061,000 | \$0         |
|  |  |  |             | \$2,061,000 |
- |                                    |     |             |  |  |
|------------------------------------|-----|-------------|--|--|
| Fund Sources: <i>General</i> ..... | \$0 | \$2,061,000 |  |  |
|------------------------------------|-----|-------------|--|--|

ITEM C-4.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
Higher Education Operating.....	\$2,061,000	\$0		
<p>A. In accordance with Chapter 15.1 (§ 2.2-1515 et seq.) of Title 2.2 of the Code of Virginia, Christopher Newport University shall submit its completed detailed planning documents to the Six-Year Capital Outlay Plan Advisory Committee for its review and recommendation. However, no planning documents pursuant to this item shall be submitted to the Governor or the General Assembly prior to July 1, 2022.</p> <p>B. Christopher Newport University shall be reimbursed for all nongeneral funds used when the project is funded to move into the construction phase.</p> <p>C. <i>The scope of this project is hereby amended to include 71,500 square feet of new construction and 8,300 square feet of renovation.</i></p>				
Total for Christopher Newport University.....			<b>\$4,850,000</b>	<b>\$0</b> <b>\$2,061,000</b>
Fund Sources: <i>General</i> .....	\$0	\$2,061,000		
Higher Education Operating.....	\$2,061,000	\$0		
Bond Proceeds.....	\$2,789,000	\$0		
C-5.	Not set out.			
C-6.	Not set out.			
C-7.	Not set out.			
C-8.	Not set out.			
C-9.	Not set out.			
C-10.	Not set out.			
C-11.	Not set out.			
C-12.	Not set out.			
C-12.10	Not set out.			
C-12.20	Not set out.			
C-13.	Not set out.			
C-14.	Not set out.			
C-15.	Not set out.			
C-16.	Not set out.			
C-17.	Not set out.			
C-17.30	Not set out.			
C-17.50	Not set out.			
C-18.	Not set out.			
C-19.	Not set out.			



ITEM C-20.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C-20.	Not set out.				
C-21.	Not set out.				

**§ 2-2. VIRGINIA COMMONWEALTH UNIVERSITY (236)**

C-22.	Planning: Construct Interdisciplinary Classroom and Laboratory Building (18472).....			\$250,000	\$0 \$101,000
	Fund Sources: Higher Education Operating.....	\$250,000	\$0 \$101,000		

A. 1. In accordance with Chapter 15.1 (§ 2.2-1515 et seq.) of Title 2.2 of the Code of Virginia, Virginia Commonwealth University shall submit its completed detailed planning documents to the Six-Year Capital Outlay Plan Advisory Committee for its review and recommendation. However, no planning documents pursuant to this item shall be submitted to the Governor or the General Assembly prior to July 1, 2023.

2. As part of the planning process for this project, Virginia Commonwealth University will evaluate and submit construction phasing options.

B. Virginia Commonwealth University shall be reimbursed for all nongeneral funds used when the project is funded to move into the construction phase.

C-22.10 Not set out.

C-22.20	Planning: New Arts and Innovation Building (18500).....			\$5,000,000	\$0 \$1,809,000
	Fund Sources: Higher Education Operating.....	\$5,000,000	\$0 \$1,809,000		

A.1. In accordance with Chapter 15.1 (§ 2.2-1515 et seq.) of Title 2.2 of the Code of Virginia, Virginia Commonwealth University shall submit its completed detailed planning documents to the Six-Year Capital Outlay Plan Advisory Committee for its review and recommendation. However, no planning documents pursuant to this item shall be submitted to the Governor or the General Assembly prior to July 1, 2022.

2. As part of the planning process for this project, Virginia Commonwealth University will evaluate and submit construction phasing options.

B. Virginia Commonwealth University shall be reimbursed for all nongeneral funds used when the project is funded to move into the construction phase.

C-22.30 *Commonwealth Center for Cloud Computing (C-4).*

A. *As the Virginia Commonwealth University has fulfilled the requirements of Item C-68.50 G., Chapter 552 of the 2021 Acts of Assembly, Special Session I, including having submitted the December 1, 2021, report to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, the Director, Department of Planning and Budget is directed to release \$6,880,000 in bond proceeds of the Virginia College Building Authority as specified in C-68.50 F.2., Chapter 552 of the 2021 Acts of Assembly, Special Session I for the support, acquisition and installation of High-Performance Computing tools for the development of the Commonwealth Center for Cloud Computing (C-4).*

	Total for Virginia Commonwealth University.....			\$5,250,000	\$16,000,000 \$17,910,000
	Fund Sources: General.....	\$0	\$14,700,000		
	Higher Education Operating.....	\$5,250,000	\$1,300,000 \$3,210,000		

**§ 2-3. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)**

ITEM C-22.30.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C-23.	Not set out.			
C-23.5	Not set out.			
C-24.	Omitted.			
C-24.10	Not set out.			
	Total for Virginia Community College System.....		<b>\$18,700,000</b>	<b>\$0</b>
	Fund Sources: General.....		\$500,000	\$0
	Bond Proceeds.....		\$18,200,000	\$0

**§ 2-4. VIRGINIA MILITARY INSTITUTE (211)**

C-25.	Not set out.			
C-25.10	<i>Improvements: Improve Cadet Safety and Security (18603).....</i>		\$0	\$8,675,000
	<i>Fund Sources: General.....</i>		\$0	\$8,675,000
	Total for Virginia Military Institute.....		<b>\$2,000,000</b>	<b>\$0</b>
				<b>\$8,675,000</b>
	Fund Sources: <i>General.....</i>		\$0	\$8,675,000
	Bond Proceeds.....		\$2,000,000	\$0

**§ 2-5. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)**

- C-26. Not set out.
- C-27. Not set out.
- C-28. Not set out.
- C-29. Not set out.
- C-30. Not set out.
- C-31. Not set out.
- C-32. Not set out.
- C-33. Not set out.
- C-33.10 Not set out.
- C-34. Omitted.
- C-35. Not set out.
- C-36. Not set out.
- C-36.10 Not set out.
- C-36.30 Not set out.

ITEM C-36.40.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C-36.40 Not set out.				
C-36.45 Not set out.				
C-36.50 Not set out.				
TOTAL FOR OFFICE OF EDUCATION.....			<b>\$973,550,798</b>	<b>\$133,443,237</b> <i>\$146,089,237</i>
Fund Sources: General.....	\$1,800,000	<del>\$14,700,000</del> <i>\$25,436,000</i>		
Special.....	\$82,000,000	\$7,506,000		
Higher Education Operating.....	\$73,201,736	<del>\$8,843,771</del> <i>\$10,753,771</i>		
Bond Proceeds.....	\$816,549,062	\$102,393,466		

**OFFICE OF HEALTH AND HUMAN RESOURCES**

C-37. Not set out.				
C-38. Not set out.				
C-39. Not set out.				
TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES.....			<b>\$21,470,000</b>	<b>\$1,223,500</b>
Fund Sources: Bond Proceeds.....	\$21,470,000	\$1,223,500		

**OFFICE OF NATURAL RESOURCES**

**§ 2-6. DEPARTMENT OF CONSERVATION AND RECREATION (199)**

C-40. Not set out.				
C-41. Not set out.				
C-42. Not set out.				
C-43. Not set out.				
C-44. Omitted.				
C-45. Omitted.				
C-46. Not set out.				
C-47. Omitted.				
C-48. Omitted.				
Total for Department of Conservation and Recreation.....			<b>\$38,015,130</b>	<b>\$1,800,000</b>
Fund Sources: General.....	\$0	\$1,000,000		
Special.....	\$1,945,020	\$0		
Dedicated Special Revenue.....	\$2,000,000	\$800,000		
Federal Trust.....	\$4,912,110	\$0		
Bond Proceeds.....	\$29,158,000	\$0		

ITEM C-49.		Item Details(\$)		Appropriations(\$)	
		First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C-49.	Not set out.				
C-50.	Not set out.				
C-51.	Not set out.				
C-52.	Not set out.				
C-53.	Not set out.				

**§ 2-7. DEPARTMENT OF HISTORIC RESOURCES (423)**

C-53.50	<i>New Construction: Construct Clermont Farm Barn Replacement (18642)</i> .....			\$0	\$1,584,000
	<i>Fund Sources: Special</i> .....	\$0	\$1,584,000		
	Total for Department of Historic Resources.....			\$0	\$1,584,000
	<i>Fund Sources: Special</i> .....	\$0	\$1,584,000		
C-54.	Not set out.				
	TOTAL FOR OFFICE OF NATURAL RESOURCES.....			\$57,265,130	\$11,050,000 \$12,634,000
	Fund Sources: General.....	\$0	\$1,000,000		
	Special.....	\$1,945,020	\$0 \$1,584,000		
	Dedicated Special Revenue.....	\$4,250,000	\$3,050,000		
	Federal Trust.....	\$11,912,110	\$7,000,000		
	Bond Proceeds.....	\$39,158,000	\$0		

**OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY**

C-55.	Not set out.				
C-55.10	Not set out.				
C-55.90	Not set out.				
C-56.	Not set out.				
	TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.....			\$55,198,717	\$58,500,000
	Fund Sources: General.....	\$0	\$500,000		
	Trust and Agency.....	\$198,717	\$3,000,000		
	Bond Proceeds.....	\$55,000,000	\$55,000,000		

**OFFICE OF TRANSPORTATION**

C-56.50	Not set out.
C-57.	Not set out.
C-58.	Not set out.
C-59.	Not set out.

ITEM C-60.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C-60. Not set out.				
C-61. Not set out.				
C-61.50 Not set out.				
TOTAL FOR OFFICE OF TRANSPORTATION...			<b>\$154,871,839</b>	<b>\$134,250,000</b>
Fund Sources: Special.....	\$88,000,000	\$65,000,000		
Commonwealth Transportation.....	\$58,671,839	\$63,500,000		
Federal Trust.....	\$7,200,000	\$5,750,000		
Bond Proceeds.....	\$1,000,000	\$0		

**OFFICE OF VETERANS AND DEFENSE AFFAIRS**

**§ 2-8. DEPARTMENT OF VETERANS SERVICES (912)**

C-61.60 Not set out.				
C-61.70 Not set out.				
C-61.80 <i>Improvements: Expand Dublin Veterans Cemetery Columbarium (18638).....</i>			\$0	\$634,807
<i>Fund Sources: Federal Trust.....</i>	\$0	\$634,807		
<i>A. The Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of up to \$500,000 for the Department of Veterans Services for design costs and to assist with cash flow for the columbarium construction. The loan shall be repaid by the Department of Veterans Services by June 30, 2024.</i>				
C-61.90 <i>Improvements: Expand Amelia Veterans Cemetery Columbarium (18639).....</i>			\$0	\$2,017,774
<i>Fund Sources: Federal Trust.....</i>	\$0	\$2,017,774		
<i>A. The Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of up to \$1,000,000 for the Department of Veterans Services for design costs and to assist with cash flow during the columbaria construction. The loan shall be repaid by the Department of Veterans Services by June 30, 2024.</i>				
Total for Department of Veterans Services.....			<b>\$1,129,000</b>	<b>\$3,794,789</b> <b>\$6,447,370</b>
Fund Sources: Federal Trust.....	\$0	\$2,173,789 \$4,826,370		
Bond Proceeds.....	\$1,129,000	\$1,621,000		
C-62. Not set out.				
C-63. Not set out.				
C-63.10 Not set out.				
C-63.20 Not set out.				
TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS.....			<b>\$11,979,000</b>	<b>\$6,794,789</b> <b>\$9,447,370</b>
Fund Sources: Federal Trust.....	\$7,850,000	\$2,173,789 \$4,826,370		
Bond Proceeds.....	\$4,129,000	\$4,621,000		

<b>ITEM C-63.20.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2021</b>	<b>Second Year FY2022</b>	<b>First Year FY2021</b>	<b>Second Year FY2022</b>

**CENTRAL APPROPRIATIONS**

**§ 2-9. CENTRAL CAPITAL OUTLAY (949)**

C-64. Not set out.

C-65. Not set out.

C-66.	Planning: Detail Planning for Capital Projects (17968).....			\$1,517,750	\$14,150,000
	Fund Sources: General.....	\$0	\$14,150,000		
	Dedicated Special Revenue.....	\$1,517,750	\$0		

A. Included in the appropriation for this Item is \$1,517,750 the first year from the Central Capital Planning Fund (09650), established under authority of § 2.2-1520, Code of Virginia, and \$14,150,000 the second year from the general fund to be used for pre-planning and detailed planning of authorized projects.

B. The following projects shall be funded for detailed planning from amounts in the Central Capital Planning Fund and such amounts are hereby appropriated.

Agency Code	Agency Name	Project Title
156	Department of State Police	Replace training academy at department headquarters
156	Department of State Police	Replace Division 6 Headquarters
211	Virginia Military Institute	Construct Center for Leadership and Ethics Facility, Phase II
213	Norfolk State University	Renovate / Replace Fine Arts Building
215	University of Mary Washington	Construct Fine and Performing Arts Center
234	Cooperative Extension and Agricultural Research Services	Renovate Summerseat for Urban Agriculture Center
417	Gunston Hall	Construction of New Archaeology and Maintenance Facilities
720	Department of Behavioral Health and Developmental Services	Food Service Renovations Statewide
720	Department of Behavioral Health and Developmental Services	Eastern State Hospital Phase 4
799	Department of Corrections	Powhatan Infirmary Replacement
799	Department of Corrections	Deerfield Correctional Center Expansion
942	Virginia Museum of Natural History	Construct satellite facility in Waynesboro, Virginia

C. The Department of General Services is authorized to begin pre-planning to develop the state-owned property at 703 E. Main Street in Richmond, Virginia. No later than November 1, 2020, the Department shall submit to the Six-Year Capital Outlay Plan Advisory Committee its pre-planning documents, with capital costs for the development of the site.

ITEM C-66.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022

D. In accordance with Title 2.2, Chapter 15.1, Code of Virginia, each institution and agency shall submit its completed detailed planning documents to the Six-Year Capital Outlay Plan Advisory Committee for its review and recommendation. However, no planning documents pursuant to this item for the Construct Fine and Performing Arts Center at the University of Mary Washington, the Renovate / Replace Fine Arts Building at Norfolk State University or the Construct Center for Leadership and Ethics Facility, Phase II at Virginia Military Institute shall be submitted to the Governor or the General Assembly prior to July 1, 2022.

E. Each agency and institution of higher education may use nongeneral funds to complete the pre-planning or detailed planning documents for projects authorized in this Item.

F. In accordance with § 2.2-1520, Code of Virginia, the Director, Department of Planning and Budget, shall reimburse the Central Capital Planning Fund for the amounts provided for detailed planning when the project is funded to move into the construction phase.

G. The Director of the Department of Planning and Budget shall transfer \$1,000,000 on July 1, 2020, from Item 402 of this act to supplement planning for the Deerfield Correctional Center Expansion project.

*H.1. The Secretary of Public Safety and Homeland Security shall convene a workgroup to assess and provide recommendations for a long-term operating and capital plan for the provision of health care services to inmates held in secure correctional facilities operated by the Department of Corrections. The workgroup shall be comprised of the Secretary of Public Safety and Homeland Security or their designees; the Secretary of Health and Human Resources or their designees; the Director, Department of Planning and Budget or their designees; the Staff Directors of the House Appropriations Committee and Senate Finance and Appropriations Committee or their designees; the Director, Department of Corrections or their designees; and the Director, Department of General Services or their designees.*

*2. The workgroup shall assess plans produced by the Department of Corrections to provide health services to inmates held in secure correctional facilities operated by the Department. This shall include an assessment of plans produced by the Department to assume operation of all health care services provided in facilities, necessary services to be provided by contract either on-site or off-site, and the long-term capital needs for the Department to effectuate such operating plans. The assessment shall also consider the costs and benefits of the provision of health care services within secure correctional centers by vendors contracted by the Department, to include: i) an analysis of the transition from management by a third-party vendor to management directly by the Department for facilities that transitioned management in fiscal year 2022 and fiscal year 2023, including actual and projected costs, as well as filled and vacant positions; and, ii) an analysis of cost drivers for the provision of inmate healthcare, including factors such as inflation, utilization, compensation, and the costs of goods and services.*

*The assessment shall include consideration of the Department's plan for using the 722-acre property at 3500 Beaumont Road in Powhatan County, previously known as the Beaumont Juvenile Correctional Center, as a consolidated medical facility for state-responsible inmates and describe how the facility will support the planned transition of medical service delivery to a state-managed model. The assessment shall also include information on other potential state needs and uses for the Beaumont property, and justification stating the reasons the expansion of the medical facility at Deerfield Correctional Facility and the replacement of Powhatan Infirmary (authorized in Chapter 552, 2021 Acts of Assembly, Special Session I) are no longer feasible to address the Department's infirmary and long-term care needs.*

*3. The Secretary or his designee shall present the workgroup's assessment, including its recommendations for future utilization of the Beaumont property, the medical facility at Deerfield Correctional Facility, and Powhatan Infirmary, to the Six-Year Capital Outlay Plan Advisory Committee (Committee) and include feedback from the Committee in the workgroup's final report.*

*4. The workgroup shall report the findings of its assessment, and its recommendations, to the Governor and Chairs of the House Committee on Appropriations and Senate*

ITEM C-66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<i>Committee on Finance and Appropriations no later than November 15, 2022.</i>				
<i>5. The Department shall not proceed with the Deerfield Correctional Center Expansion or Powhatan Infirmery Replacement planning projects.</i>				
C-66.10	Omitted.			
C-67.	Not set out.			
C-68.	Not set out.			
C-68.50	2021 Capital Construction Pool (18540).....		\$0	\$12,981,771
	Fund Sources: General.....	\$0	\$1,242,850	
	Bond Proceeds.....	\$0	\$11,738,921	

A. 1. The capital projects in paragraph C of this Item are hereby authorized 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 § 2.2-2263 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 amounts shall not exceed \$11,738,921 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.

2. From the list of projects included in paragraph C. of this Item, the Director, Department of Planning and Budget, shall provide to the Chairmen of the Virginia College Building Authority and the Virginia Public Building Authority the specific projects, as well as the amounts for these projects, to be financed by each authority within the dollar limit established by this authorization.

3. Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.

4. The appropriations for the capital projects in this Item are subject to the conditions in § 2.0 F. of this act.

B. In addition to the appropriation and bond authorization authorized by this Item, the Director, Department of Planning and Budget, shall transfer unutilized Virginia College Building Authority (VCBA) and Virginia Public Building Authority (VPBA) bond authorization and appropriation from the projects listed below, in the amounts shown, to this project for funding the projects listed in paragraph C:

Agency No.	Project No.	Issuing Authority	Initial Authorization	Amount
260	17375	VCBA	Item C-174, Chapter 3, 2006 Acts of Assembly, Special Session I	\$4,010.60
260	17116	VCBA	Item C-108.40, Chapter 4, 2004 Acts of Assembly, Special Session I	\$537.12
777	15837	VPBA	Item C-71, Chapter 912, 1996 Acts of Assembly, as amended in Item C-131, Chapter 935, 1999 Acts of Assembly, and Item C-182, Chapter 814, 2002 Acts of Assembly	\$636,708.37
777	15206	VPBA	Item C-69, Chapter 912, 1996 Acts of Assembly,	\$58,342.65



ITEM C-68.50.	Item Details(\$)			Appropriations(\$)	
	First Year FY2021	Second Year FY2022		First Year FY2021	Second Year FY2022
			as amended in Item C-130, Chapter 464, 1998 Acts of Assembly, Item C-181, Chapter 1073, 2000 Acts of Assembly; Item C-123.35, Chapter 1042, 2003 Acts of Assembly, and Item C-166, Chapter 4, 2004 Acts of Assembly, Special Session I		
	799	16426	VPBA		\$82,114.22
			Item C-164, Chapter 1073, 2000 Acts of Assembly, as amended in Item C-122.45, Chapter 1042, 2003 Acts of Assembly, Item C-273, Chapter 547, 2007 Acts of Assembly, and Item C-119, Chapter 879, 2008 Acts of Assembly		
	799	17613	VPBA		\$135,365.64
			Item C-129, Chapter 879, 2008 Acts of Assembly		

C. There is hereby appropriated \$11,738,921 the first year from bond proceeds of the Virginia College Building Authority or the Virginia Public Building Authority and \$1,242,850 the first year from the general fund to provide funds for the construction and other capital costs of the following projects:

Agency Code	Agency Title	Project Title
203	Wilson Workforce and Rehabilitation Center	Emergency Replacement of HVAC System Mary Switzer Building
213	Norfolk State University	Acquire / Renovate Pre-School Academy
238	Virginia Museum of Fine Arts	Replace Life and Safety Components
274	Eastern Virginia Medical School	Replace Two Hofheimer Hall Air Handling Units
274	Eastern Virginia Medical School	Install Lewis Hall Emergency Generator
417	Gunston Hall	Reconstruct East Yard Enslaved Quarter
702	Department for the Blind and Vision Impaired	Replace Roof, Virginia Industries for the Blind, Charlottesville Plant

D. The authorization provided under Chapter 759 / 769, 2016 Acts of Assembly for bond funding from the Virginia College Building Authority for Virginia Commonwealth University Center capital project 18205, Construct Commonwealth Center for Advanced Logistics Systems (CCALS), is rescinded.

E. In addition to the appropriation and bond authorization authorized by this item, the Director, Department of Planning and Budget, shall transfer unutilized Virginia College Building Authority (VCBA) bond authorization and appropriation from the projects listed below, in the amounts shown, to this project for funding the projects listed in paragraph F:

Agency No.	Project No.	Issuing Authority	Initial Authorization	Amount
236	18205	VCBA	§ 2, Chapters 759 and 769, 2016 Acts of Assembly	\$19,000,000

ITEM C-68.50.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

F. 1. *a.* Upon certification from the Virginia Economic Development Partnership that an agreement has been reached with the Economic Development Authority and Rolls-Royce Crosspointe LLC, the Department of General Services is hereby authorized \$12,120,000 the first year from bond proceeds of the Virginia Public Building Authority to provide funds for the acquisition of the Commonwealth Center for Advanced Manufacturing (CCAM).

*b.* The Department of General Services ("DGS") is directed and fully funded from the proceeds totaling \$12,120,000 of the Virginia College Building Authority identified in Paragraph E. of this Item to acquire the Commonwealth Center for Advanced Manufacturing ("CCAM") property (the "Property") from the University of Virginia Foundation (the "Foundation"), on terms acceptable to DGS (the "Acquisition"). DGS may acquire the Property subject to an EDA grant award and conditions for award No. 01-0108998 ("Grant") and any associated mortgage ("Mortgage"), including without limitation the mortgage recorded in the Prince George County Clerk's Office as Instrument #110003537, pursuant to which Mortgage the EDA is authorized to foreclose to gain title to the Property in the event of a default under the Grant. DGS is authorized and directed to proceed with the Acquisition with the remedies allowed in the Grant and Mortgage, including, but not limited to a right of foreclosure under the Mortgage and the right to demand payment under the Grant.

CCAM, the Commonwealth Center for Advanced Logistics Systems (should it become a tenant in the Property) ("CCALS"), and any other tenant in the Property, shall work with DGS to further the purpose of the Grant and Mortgage and keep the Property in compliance with the Grant and Mortgage. Any lease to any tenant of the Property shall be on terms and conditions acceptable to DGS and all tenants shall cooperate with DGS (i) in negotiating a lease acceptable to DGS and (ii) during the term of any such lease, to ensure that, among other things, the tenant shall not cause a default under the terms of any such lease, the Grant, or Mortgage. Tenants of the Property shall comply with DGS' building occupancy and use requirements, including any tenant financial obligations and building operational procedures. CCALS and any entities operating within the Property prior to the Acquisition, including but not limited to CCAM, shall execute a lease with DGS prior to the Acquisition, to be held in escrow pending completion of the Acquisition.

DGS expenses to complete the Acquisition and negotiate tenant leases shall be funded from the funding authorized by this section. Such funds will be deducted upon completion of the Acquisition.

2. Virginia Commonwealth University is hereby authorized \$6,880,000 the first year from bond proceeds of the Virginia College Building Authority to provide funds for the support acquisition and installation of High-Performance Computing tools for the development of the Commonwealth Center for Cloud Computing (C4).

G. The conditions required in order to receive the allocation from paragraph F. 2. of this item are:

1. Virginia Commonwealth University shall convene a workgroup comprised of the University of Virginia, Virginia Tech, Old Dominion University, Virginia State University, Longwood University, and representatives from the Commonwealth Center for Advanced Manufacturing (CCAM) and the Commonwealth Center for Advanced Logistics for the expressed purpose of developing a plan for the Commonwealth Center for Cloud Computing (C4).

2. The plan shall identify areas of research relevant to the C4, guiding principles to ensure continued collaboration between and among the partnering entities, opportunities for potential expansion of other institutions and entities, linkages with the Commonwealth Cyber Initiative, the Cyber Range and the Greater Washington Partnership, operational cost estimates and cost sharing strategies between and among the partnering institutions and entities to include potential for leveraging private sector partnerships.

3. The workgroup shall submit the report by December 1, 2021 to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Governor.

4. After adoption of the report by the General Assembly, the funding provided in paragraph F.2. shall be released to Virginia Commonwealth University to support the creation of the operations of the Commonwealth Center for Cloud Computing (C4).

ITEM C-68.50.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C-69. Supplement Previously Authorized Capital Project Construction Pools (18145).....			\$228,950,000	\$0
Fund Sources: General.....	\$0	\$0		
Bond Proceeds.....	\$228,950,000	\$0		

A.1. Included in this item is \$228,950,000 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. *The bond appropriation 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 \$228,950,000 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.

2. From the list of capital project pools included in paragraph O. of § 2-0 of this act, the Director, Department of Planning and Budget, shall provide to the Chairmen of the Virginia College Building Authority and the Virginia Public Building Authority the specific projects, as well as the amounts for these projects, to be financed by each authority within the dollar limit established by this authorization upon the transfer of any such appropriation in this Item.

3. Included in this item is \$25,000,000 in bond appropriation is provided as a supplement to the Capital Complex Infrastructure and Security project authorized and funded in paragraph E.1 Item C-39.40, Chapter 1 of the 2014 Special Session I, Virginia Acts of Assembly, for additional scope and security improvements.

4. Included in this item is \$28,250,000 in bond appropriation provided as a supplement to the "Virginia Institute of Marine Science, Construct New Research Facility" project previously authorized in Enactment 1, §2 of Chapters 759 and 769, 2016 Acts of Assembly, as "Virginia Institute of Marine Science, Replace Mechanical Systems and Repair Building Envelope of Chesapeake Bay Hall" in order to replace the existing Chesapeake Hall, for which a renovation is no longer a viable alternative, with a comparable sized new facility. Additional funding for the revised scope and cost is contained in this item.

5. Included in this item is up to \$30,000,000 in bond appropriation provided as a supplement to the "Construct Life Sciences and Engineering Building/Renovate Bull Run Hall, Prince William (18000)" project previously authorized in Item C-39.40, Chapter 806, 2013 Acts of Assembly, as "George Mason University, Construct Life Sciences Building, Prince William (Construct Bull Run Hall IIIB Addition)" in order to provide for an additional floor (33,000 SF) to the project. Additional funding for the revised scope and cost is contained in this item.

6. Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.

7. The appropriations in this Item are subject to the conditions in § 2-0 F. of this act.

C-69.50 Omitted.

C-69.60 2022 Capital Supplement Pool (18646)..... \$0 \$350,000,000

Fund Sources: General..... \$0 \$350,000,000

A.1. Included in this item is \$350,000,000 the second year from the general fund that is designated for project supplements to address shortfalls for projects that (i) were

ITEM C-69.60.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022

*previously authorized to proceed to construction; (ii) have satisfied the requirements of § 2.2-1519 C. and E.2., Code of Virginia; and, (iii) have received a funding report from the Department of General Services prior to April 1, 2022. Specific project allocations for transfer from this item shall be based upon recommendations from the Department of General Services. A transfer authorized by this subsection may only be effectuated if (i) the Director of the Department of Planning and Budget provides notice of the amount and purpose of any such proposed transfer to the Six Year Capital Outlay Plan Advisory Committee; and, (ii) no member of the committee or their designee objects, in writing or via email, to the transfer within 14 days of receiving such notice. If an objection is received, the committee may discuss such proposed transfer at its next meeting and vote as to whether to recommend such transfer.*

*2. Projects that comply with paragraphs (i) and (ii) of paragraph A.1. of this item but have not received a funding report as of April 1, 2022, may, upon recommendation by the Department of General Services and approval by all members of Advisory Committee, receive a supplemental allocation from this item within the limits of the 105 percent cost threshold set forth in § 2.2-1519 E.1.*

*3. Supplemental amounts determined in accordance with paragraph A.1. and A.2. of this item shall be adjusted to match the proportion of a project's total cost supported by general fund as set forth in the funding letter.*

*4. After receiving funds from this item, projects shall comply with the provisions of paragraph K. of § 2.0 of this act.*

C-70.	Improvements: Local Water Quality and Supply Projects (18050).....		\$125,000,000	\$0
	Fund Sources: Bond Proceeds.....	\$125,000,000	\$0	

A. The Virginia Public Building Authority, pursuant to § 2.2-2260 et seq., Code of Virginia, is authorized to issue bonds in a principal amount not to exceed \$125,000,000, 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, to finance the 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. 1. Stormwater Local Assistance Fund. From the appropriation and bond authorization provided in this Item, up to \$50,000,000 of the bond proceeds shall be provided to the Department of Environmental Quality for the Stormwater Local Assistance Fund, established in accordance with the provisions of Item 379 of this Act. In accordance with the purpose of the Fund set out in Item 379, the bond proceeds shall be used to provide grants solely for capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the State Water Control Board under the authority of the Department of Environmental Quality.

2. a. Combined Sewer Overflow Matching Fund. From the appropriation and bond authorization provided in this Item, up to \$25,000,000 of the bond proceeds shall be provided to the Department of Environmental Quality for the Combined Sewer Overflow Matching Fund, established pursuant to § 62.1-242.12, Code of Virginia. These bond proceeds shall be used by the Virginia Resources Authority and the State Water Control Board to make a grant to the City of Alexandria, *Virginia Sanitation Authority* to pay a portion of the capital costs of its combined sewer overflow control project. Disbursements from these proceeds shall be authorized by the State Water Control Board, under the authority of the Department of Environmental Quality, and administered by the Virginia Resources Authority through the Combined Sewer Overflow Matching Fund.

b. The appropriation in paragraph C.2.a. is the second of three allocations for the Combined Sewer Overflow for the City of Alexandria. It is the intent of the General Assembly to provide the third and final allocation in the 2022-2024 biennium.

ITEM C-70.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
<p>3. Nutrient Removal Grants. From the appropriation and bond authorization provided in this Item, up to \$50,000,000 of the bond proceeds shall be provided to the Department of Environmental Quality to reimburse entities as provided in § 10.1-2117 et seq., Code of Virginia, considered as eligible Significant and Non-Significant Dischargers in the Chesapeake Bay watershed for capital costs incurred for the design and installation of nutrient removal technology. Such reimbursements shall be in accordance with eligibility determinations made by the Department of Environmental Quality pursuant to the provisions of this act and Chapter 21.1 of Title 10.1, Code of Virginia, including but not limited to the qualifications of projects for Virginia Water Quality Improvement Grants as set forth in §§ 10.1-2129, 10.1-2130, and 10.1-2131, Code of Virginia, and in written guidelines developed by the Secretary of Natural Resources in accordance with § 10.1-2129, Code of Virginia.</p> <p>D. The appropriation in this Item is subject to the conditions of § 2-0 F. of this act.</p> <p>E. Except as provided in paragraph D. of this Item, the provisions of §§ 2-0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to the projects supported by this Item.</p>				
C-70.50	Not set out.			
C-71.	Improvements: Workforce Development Projects (18418).....		\$13,600,000	<del>\$8,500,000</del> \$29,200,000
	Fund Sources: <i>General</i> .....	\$0	\$20,700,000	
	Bond Proceeds.....	\$13,600,000	\$8,500,000	
<p>A. 1. The Virginia College Building Authority, pursuant to § 23.1-1200 et seq., Code of Virginia, is authorized to issue bonds in a principal amount not to exceed \$22,100,000 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, to finance the capital costs of the project for which the appropriation in this Item is provided.</p> <p>2. Debt service on bonds issued under the authorization in this Item shall be provided from appropriations to the Treasury Board.</p> <p>3. <i>In addition to the bond authorization and appropriation in this Item is included \$20,700,000 the second year from the general fund.</i></p> <p>B. Funds from this Item shall be allocated in accordance with signed Memorandums of Understanding under the provisions established in §23.1-1239 through §23.1-1243, Code of Virginia, and shall be used to support the efforts of qualified institutions to increase by fiscal year 2039 the number of new eligible degrees by at least 25,000 more degrees than the number of such degrees awarded in 2018 and to improve the readiness of graduates to be employed in technology-related fields and fields that align with traded-sector growth opportunities identified by the Virginia Economic Development Partnership.</p>				
C-72.	Not set out.			
C-72.10	Omitted.			
C-72.50	Not set out.			
C-72.60	Not set out.			
C-72.70	Not set out.			
C-73.	Not set out.			
C-74.	Not set out.			

ITEM C-75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2021	Second Year FY2022	First Year FY2021	Second Year FY2022
C-75.	Not set out.			
C-76.	Not set out.			
C-76.10	Not set out.			
C-76.20	<p><i>A. The Director, Department of Planning and Budget, shall transfer on or before June 30, 2022, unutilized Virginia College Building Authority (VCBA) bond authorization and appropriation from the projects listed below and in the amounts shown to the 2016 VCBA Capital Construction Pool project 18301, as authorized in § 2, Chapters 759 and 769, 2016 Acts of Assembly and amended by Item C-48, Chapter 2, 2018 Acts of Assembly, Special Session I:</i></p>			

Agency No.	Project No.	Issuing Authority	Initial Authorization	Amount
207	18291	VCBA	Item C-52.10, Chapter 780, 2016 Acts of Assembly	\$54,869.06

*B. The Director, Department of Planning and Budget, shall transfer on or before June 30, 2022, unutilized Virginia Public Building Authority (VPBA) bond authorization and appropriation from the projects listed below and in the amounts shown to the 2016 VPBA Capital Construction Pool project 18300, as authorized in § 1, Chapters 759 and 769, 2016 Acts of Assembly and amended by Item C-47, Chapter 2, 2018 Acts of Assembly, Special Session I:*

Agency No.	Project No.	Issuing Authority	Initial Authorization	Amount
720	17733	VPBA	C-103.05, Chapter 781, 2009 Acts of Assembly	134,507.15

Total for Central Capital Outlay.....			<b>\$1,867,744,167</b>	<b>\$280,168,021</b> <del>\$650,868,021</del>
---------------------------------------	--	--	------------------------	--

Fund Sources: General.....	\$0	\$203,142,850		
		\$573,842,850		
Special.....	\$35,000,000	\$0		
Dedicated Special Revenue.....	\$40,951,750	\$0		
Federal Trust.....	\$17,015,317	\$0		
Bond Proceeds.....	\$1,774,777,100	\$77,025,171		

C-77. Not set out.

C-78. Not set out.

TOTAL FOR CENTRAL APPROPRIATIONS.....			<b>\$1,867,744,167</b>	<b>\$280,168,021</b> <del>\$650,868,021</del>
---------------------------------------	--	--	------------------------	--

Fund Sources: General.....	\$0	\$203,142,850		
		\$573,842,850		
Special.....	\$35,000,000	\$0		
Dedicated Special Revenue.....	\$40,951,750	\$0		
Federal Trust.....	\$17,015,317	\$0		
Bond Proceeds.....	\$1,774,777,100	\$77,025,171		

TOTAL FOR EXECUTIVE DEPARTMENT.....			<b>\$3,164,989,842</b>	<b>\$654,206,547</b> <del>\$1,041,789,128</del>
-------------------------------------	--	--	------------------------	--

Fund Sources: General.....	\$1,800,000	\$236,882,850		
		\$618,318,850		
Special.....	\$206,945,020	\$72,506,000		
		\$74,090,000		

ITEM C-78.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2021	FY2022	FY2021	FY2022
Higher Education Operating.....	\$73,201,736	<del>\$8,843,771</del> \$10,753,771		
Commonwealth Transportation.....	\$58,671,839	\$63,500,000		
Trust and Agency.....	\$198,717	\$3,000,000		
Dedicated Special Revenue.....	\$50,311,941	\$8,775,000		
Federal Trust.....	\$43,977,427	<del>\$15,923,789</del> \$18,576,370		
Bond Proceeds.....	\$2,729,883,162	\$244,775,137		

**INDEPENDENT AGENCIES**

C-79. Not set out.

TOTAL FOR INDEPENDENT AGENCIES.....			<b>\$21,600,000</b>	<b>\$0</b>
Fund Sources: Special.....	\$21,497,962	\$0		
Dedicated Special Revenue.....	\$102,038	\$0		
TOTAL FOR PART 2: CAPITAL PROJECT EXPENSES.....			<b>\$3,186,589,842</b>	<del>\$654,206,547</del> <b>\$1,041,789,128</b>
Fund Sources: General.....	\$1,800,000	<del>\$236,882,850</del> \$618,318,850		
Special.....	\$228,442,982	<del>\$72,506,000</del> \$74,090,000		
Higher Education Operating.....	\$73,201,736	<del>\$8,843,771</del> \$10,753,771		
Commonwealth Transportation.....	\$58,671,839	\$63,500,000		
Trust and Agency.....	\$198,717	\$3,000,000		
Dedicated Special Revenue.....	\$50,413,979	\$8,775,000		
Federal Trust.....	\$43,977,427	<del>\$15,923,789</del> \$18,576,370		
Bond Proceeds.....	\$2,729,883,162	\$244,775,137		

**PART 3: MISCELLANEOUS**  
**§ 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
<b>TOTAL</b>	<b>\$74,913,243</b>	<b>\$74,913,243</b>



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 \$159,500,745 the first year and ~~\$144,900,000~~ 161,900,000 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
-----	------------------------------	--------------	--------------

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 \$6,154,452 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 Commonwealth Transportation Fund by the Department of Taxation estimated at \$2,993,308 the first year and \$3,015,689 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	0200	\$9,535	\$9,535

(948)				
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	0900	\$1,153	\$1,153	

Justice Services (140)			
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
		<b>\$12,287,244</b>	<b>\$12,287,244</b>

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 \$708,231,123 the first year and ~~\$690,903,334~~*843,361,811* 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 ~~from the Virginia Lottery Fund the estimated profits generated~~*the balance of the Virginia Lottery Fund* for the first five months of the fiscal year and (2) thereafter, the transfer of *estimated profits* will be made on a monthly basis, or until the amount estimated at \$708,231,123 the first year and ~~\$690,903,334~~*843,361,811* the second year has been transferred to the Lottery Proceeds Fund. *The final annual transfer of profits necessary to reach the annual estimate noted in this section, not to exceed the amounts estimated in this paragraph, shall be initiated no later than* ~~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 *profits* for the prior fiscal year. If such annual audit discloses that the actual revenue ~~is~~ *was* less than the ~~estimate on which the June total transfer of estimated profits for the year~~*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 \$90,780 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 \$6,242,868 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 Viginia, to the capital planning project authorized in Item C-66, Paragraph G of this act.

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.

LL. 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.

MM. As required by §4-1.05 b of Chapter 56, 2020 Special Session I, \$140,197 in various inactive nongeneral fund accounts were reverted by the State Comptroller to the general fund in the first year *and \$108,599 in the second year.*

NN.1. On or before June 30, 2021, the State Comptroller shall transfer to the general fund all remaining balances estimated at \$15,856, from Fund 02019, Covid-19 Additional State Funding, in the Department of Emergency Management.

2. On or before June 30, 2021, the State Comptroller shall transfer to the general fund all remaining balances estimated at \$3,291,300, from Fund 02019, Covid-19 Additional State Funding, in the Department of Health.

*OO. On or before June 30, 2022, the State Comptroller shall transfer to the general fund an amount estimated at \$27,515,896 from Special Fund balances of the Virginia Growth and Opportunity Fund (09272).*

### § 3-1.02 INTERAGENCY TRANSFERS

The Virginia Department of Transportation shall transfer, from motor fuel tax revenues, \$388,254 the first year and \$388,254 the second year to the Department of General Services for motor fuels testing.

### § 3-1.03 SHORT-TERM ADVANCE TO THE GENERAL FUND FROM NONGENERAL FUNDS

A. To meet the occasional short-term cash needs of the general fund during the course of the year when cumulative year-to-date disbursements exceed temporarily cumulative year-to-date revenue collections, the State Comptroller is authorized to draw cash temporarily from nongeneral fund cash balances deemed to be available, although special dedicated funds related to commodity boards are exempt from this provision. Such cash drawdowns shall be limited to the amounts immediately required by the general fund to meet disbursements made in pursuance of an authorized appropriation. However, the amount of the cash drawdown from any particular nongeneral fund shall be limited to the excess of the cash balance of such fund over the amount otherwise necessary to meet the short-term disbursement requirements of that nongeneral fund. The State Comptroller will ensure that those funds will be replenished in the normal course of business.

B. In the event that nongeneral funds are not sufficient to compensate for the operating cash needs of the general fund, the State Treasurer is authorized to borrow, temporarily, required funds from cash balances within the Transportation Trust Fund, where such trust fund balances, based upon assessments provided by the Commonwealth Transportation Commissioner, are not otherwise needed to meet the short-term disbursement needs of the Transportation Trust Fund, including any debt service and debt coverage needs, over the life of the borrowing. In addition, the State Treasurer shall ensure that such borrowings are consistent with the terms and conditions of all bond documents, if any, that are relevant to the Transportation Trust Fund.

C. The Secretary of Finance, the State Treasurer and the Commonwealth Transportation Commissioner shall jointly agree on the amounts of such interfund borrowings. Such borrowed amounts shall be repaid to the Transportation Trust Fund at the earliest

practical time when they are no longer needed to meet short-term cash needs of the general fund, provided, however, that such borrowed amounts shall be repaid within the biennium in which they are borrowed. Interest shall accrue daily at the rate per annum equal to the then current one-year United States Treasury Obligation Note rate.

D. Any temporary loan shall be evidenced by a loan certificate duly executed by the State Treasurer and the Commonwealth Transportation Commissioner specifying the maturity date of such loan and the annual rate of interest. Prepayment of temporary loans shall be without penalty and with interest calculated to such prepayment date. The State Treasurer is authorized to make, at least monthly, interest payments to the Transportation Trust Fund.

**§ 3-2.00 WORKING CAPITAL FUNDS AND LINES OF CREDIT**

§ 3-2.01 ADVANCES TO WORKING CAPITAL FUNDS

A. The State Comptroller shall make available to the Virginia Racing Commission, on July 1 of each year, the amount of \$125,000 from the general fund as a temporary cash flow advance, to be repaid by December 30 of each year.

B. The State Comptroller shall provide a Working Capital Advance for up to \$3,000,000 on July 1 of the first year and for up to \$16,000,000 on July 1 of the second year, to the Department of Veterans Services to operate the Puller & Cabacoy Veterans Care Centers, to be repaid from revenue generated by the facilities.

§ 3-2.02 CHARGES AGAINST WORKING CAPITAL FUNDS

The State Comptroller may periodically charge the appropriation of any state agency for the expenses incurred for services received from any program financed and accounted for by working capital funds. Such charge may be made upon receipt of such documentation as in the opinion of the State Comptroller provides satisfactory evidence of a claim, charge or demand against the appropriations made to any agency. The amounts so charged shall be recorded to the credit of the appropriate working capital fund accounts. In the event any portion of the charge so made shall be disputed, the amount in dispute may be restored to the agency appropriation by direction of the Governor.

§ 3-2.03 LINES OF CREDIT

a. The State Comptroller shall provide lines of credit to the following agencies, not to exceed the amounts shown:

Administration of Health Insurance, Health Benefits Services	\$75,000,000
Administration of Health Insurance, Line of Duty Act	\$10,000,000
Department of Accounts, for the Payroll Service Bureau	\$400,000
Department of Accounts, Transfer Payments	\$5,250,000
Alcoholic Beverage Control Authority	\$80,000,000
Department of Corrections, for Virginia Correctional Enterprises	\$1,000,000
Department of Corrections, for Federal Grant Processing	\$1,000,000
Department of Emergency Management, for Hazardous Material Incident Response	\$150,000
Department of Emergency Management, for Federal Grant Processing	\$500,000
Department of Environmental Quality	\$5,000,000
Department of Human Resource Management, for the Workers' Compensation Self Insurance Trust Fund	\$10,000,000
Department of Behavioral Health and Developmental Services	\$30,000,000
Department of Medical Assistance Services, for the Virginia Health Care Fund	\$12,000,000
Department of Motor Vehicles	\$30,600,000
Department of the Treasury, for the Unclaimed Property Trust Fund	\$5,000,000
Department of the Treasury, for the State Insurance Reserve Trust Fund	\$25,000,000
Virginia Lottery	\$56,000,000
Virginia Information Technologies Agency	\$165,000,000
Virginia Tobacco Settlement Foundation	\$3,000,000
Department of Historic Resources	\$600,000
Department of Fire Programs	\$30,000,000

Compensation Board	\$8,000,000
Department of Conservation and Recreation	\$4,000,000
Department of Military Affairs, for State Active Duty	\$5,000,000
Department of Military Affairs, for Federal Cooperative Agreements	\$30,000,000
Virginia Parole Board	\$50,000
Commonwealth's Attorneys' Services Council	\$200,000
Department of State Police, for the Internet Crimes Against Children Grant	\$3,700,000
Department of State Police, for Federal Grant Processing	\$1,500,000
Department of Social Services, for timing issues related to the receipt of federal grants and other payments	\$17,000,000

b. The State Comptroller shall execute an agreement with each agency documenting the procedures for the line of credit, including, but not limited to, applicable interest and the method for the drawdown of funds. The provisions of § 4-3.02 b of this act shall not apply to these lines of credit.

c. The State Comptroller, in conjunction with the Departments of General Services and Planning and Budget, shall establish guidelines for agencies and institutions to utilize a line of credit to support fixed and one-time costs associated with implementation of office space consolidation, relocation and/or office space co-location strategies, where such line of credit shall be repaid by the agency or institution based on the cost savings and efficiencies realized by the agency or institution resulting from the consolidation and/or relocation. In such cases the terms of office space consolidation or co-location strategies shall be approved by the Secretary of Administration, in consultation with the Secretary of Finance, as demonstrating cost benefit to the Commonwealth. In no case shall the advances to an agency or institution exceed \$1,000,000 nor the repayment begin more than one year following the implementation or extend beyond a repayment period of seven years.

d. The State Comptroller is hereby authorized to provide lines of credit of up to \$2,500,000 to the Department of Motor Vehicles and up to \$2,500,000 to the Department of State Police to be repaid from revenues provided under the federal government's establishment of Uniform Carrier Registration.

e. The Virginia Lottery is hereby authorized to use its line of credit to meet cash flow needs for operations at any time during the year and to provide cash to the Virginia Lottery Fund to meet the required transfer of estimated lottery profits to the Lottery Proceeds Fund ~~in the month of June~~, as specified in provisions of § 3-1.01G. of this act. The Virginia Lottery shall repay the line of credit as actual cash flows become available. The Secretary of Finance is authorized to increase the line of credit to the Virginia Lottery if necessary to meet operating needs.

f. The State Comptroller is hereby authorized to provide a line of credit of up to \$5,000,000 to the Department of Military Affairs to cover the actual costs of responding to State Active Duty. The line of credit will be repaid as the Department of Military Affairs is reimbursed from federal or other funds, other than Department of Military Affairs funds.

g. The Department of Human Resource Management shall repay the local health insurance option program's initial start-up costs, funded through the line of credit authorized in Chapter 836, 2017 Acts of Assembly, in fiscal years 2017 and 2018, over a period not to exceed ten years from the health insurance premiums paid by the local health insurance option program's participants.

h. The Department of Conservation and Recreation may utilize the line of credit authorized in paragraph a. to continue the development of the coastal master plan, including use of a consultant to assist in the plan's development. Any funds spent from the line of credit for this purpose shall be repaid from revenues generated by the Commonwealth's participation in the sale of allowances through the Regional Greenhouse Gas Initiative and deposited to the Virginia Community Flood Preparedness Fund pursuant to § 10.1-603.25, Code of Virginia.

### § 3-3.00 GENERAL FUND DEPOSITS

#### § 3-3.01 PAYMENT BY THE STATE TREASURER

The state Treasurer shall transfer an amount estimated at \$50,000 on or before June 30, 2021 and an amount estimated at \$50,000 on or before June 30, 2022, to the general fund from excess 9(c) sinking fund balances.

### § 3-4.00 AUXILIARY ENTERPRISES AND SPONSORED PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION

#### § 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. 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 of the House Appropriations and Senate Finance and Appropriations Committees.

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.

### § 3-5.00 ADJUSTMENTS AND MODIFICATIONS TO TAX COLLECTIONS

#### § 3-5.01 RETALIATORY COSTS TO OTHER STATES TAX CREDIT

Notwithstanding any other provision of law, the amount deposited to the Priority Transportation Trust Fund pursuant to § 58.1-2531 shall not be reduced by more than \$266,667 by any refund of the Tax Credit for Retaliatory Costs to Other States available under § 58.1-2510.

#### §3-5.02 PAYMENT OF AUTO RENTAL TAX TO THE GENERAL FUND

Notwithstanding the provisions of § 58.1-1741, Code of Virginia, or any other provision of law, all revenues resulting from the fee imposed under subdivision A3 of § 58.1-1736, Code of Virginia, shall be deposited into the general fund after the direct costs of administering the fee are recovered by the Department of Taxation.

#### § 3-5.03 IMPLEMENTATION OF CHAPTER 3, ACTS OF ASSEMBLY OF 2004, SPECIAL SESSION I

Revenues deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established under § 58.1-638.1 of the Code of Virginia pursuant to enactments of the 2004 Special Session of the General Assembly shall be transferred to the general fund and used to meet the Commonwealth's responsibilities for the Standards of Quality prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The Comptroller shall take all actions necessary to effect such transfers monthly, no later than 10 days following the deposit to the Fund. The amounts transferred shall be distributed to localities as specified in Direct Aid to Public Education's (197), State Education Assistance Programs (17800) of this Act. The estimated amount of such transfers are \$421,600,000 the first year and ~~\$433,800,000~~ \$510,700,000 the second year.

#### § 3-5.04 RETAIL SALES & USE TAX EXEMPTION FOR INTERNET SERVICE PROVIDERS

Notwithstanding any other provision of law, for purchases made on or after July 1, 2006, any exemption from the retail sales and use tax applicable to production, distribution, and other equipment used to provide Internet-access services by providers of Internet service, as defined in § 58.1-602, Code of Virginia, shall occur as a refund request to the Tax Commissioner. The Tax Commissioner shall develop procedures for such refunds.

#### § 3-5.05 DISPOSITION OF EXCESS FEES COLLECTED BY CLERKS OF THE CIRCUIT COURTS

Notwithstanding §§ 15.2-540, 15.2-639, 15.2-848, 17.1-285, and any other provision of law general or special, effective July 1, 2009, the Commonwealth shall be entitled to two-thirds of the excess fees collected by the clerks of the circuit courts as required to be reported under § 17.1-283.

#### § 3-5.06 ACCELERATED SALES TAX

A. Notwithstanding any other provision of law, in addition to the amounts required under the provisions of §§58.1-615 and 58.1-616, any dealer as defined by §58.1-612 or direct payment permit holder pursuant to §58.1-624 with taxable sales and purchases of \$1,000,000 or greater for the 12-month period beginning July 1, and ending June 30 of the immediately preceding calendar year, shall be required to make a payment equal to 90 percent of the sales and use tax liability for the previous June. Such tax payments shall be made on or before the 30th day of June, if payments are made by electronic fund transfer, as defined in § 58.1-202.1. If payment is made by other than electronic funds transfer, such payment shall be made on or before

the 25th day of June. Every dealer or direct payment holder shall be entitled to a credit for the payment under this section on the return for June of the current year due July 20.

B. The Tax Commissioner may develop guidelines implementing the provisions of this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

C. For purposes of this section, taxable sales or purchases shall be computed without regard to the number of certificates of registration held by the dealer. The provisions of this section shall not apply to persons who are required to file only a Form ST-7, Consumer's Use Tax Return.

D. In lieu of the penalties provided in § 58.1-635, except with respect to fraudulent returns, failure to make a timely payment or full payment of the sales and use tax liability as provided in subsection A shall subject the dealer or direct payment permit holder to a penalty of six percent of the amount of tax underpayment that should have been properly paid to the Tax Commissioner. Interest shall accrue as provided in § 58.1-15. The payment required by this section shall become delinquent on the first day following the due date set forth in this section if not paid.

E. Payments made pursuant to this section shall be made in accordance with procedures established by the Tax Commissioner and shall be considered general fund revenue, except with respect to those revenues required to be distributed under the provisions of §§ 58.1-605, 58.1-606, 58.1-638(A), 58.1-638(G)-(H), 58.1-638.2, and 58.1-638.3 of the Code of Virginia.

F. That the State Comptroller shall make no distribution of the taxes collected pursuant to this section in accordance with §§ 58.1-605, 58.1-606, 58.1-638, 58.1-638.1, 58.1-638.2 and 58.1-638.3 of the Code of Virginia until the Tax Commissioner makes a written certification to the Comptroller certifying the sales and use tax revenues generated pursuant to this section. The Tax Commissioner shall certify the sales and use tax revenues generated as soon as practicable after the sales and use tax revenues have been paid into the state treasury in any month for the preceding month.

G. Beginning with the tax payment that would be remitted on or before June 25, 2021, if the payment is made by other than electronic fund transfers, and by June 30, 2021, if payments are made by electronic fund transfer, the provisions of § 3-5.08 of Chapter 874, 2010 Acts of Assembly, shall apply only to those dealers or permit holders with taxable sales and purchases of \$10,000,000 or greater for the 12-month period beginning July 1 and ending June 30 of the immediately preceding calendar year.

*H. Notwithstanding language included in the paragraphs above, no Accelerated Sales Tax payments shall be required for any dealer for any period beginning after June 30, 2021. Penalties and interest for all prior years' Accelerated Sales Tax payments remain due and are collectible.*

#### § 3-5.07 DISCOUNTS AND ALLOWANCES

A. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation allowed under § 58.1-622, Code of Virginia, shall be suspended for any dealer required to remit the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia, by electronic funds transfer pursuant to § 58.1-202.1, Code of Virginia, and the compensation available to all other dealers shall be limited to the following percentages of the first three percent of the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia:

Monthly Taxable Sales	Percentage
\$0 to \$62,500	1.6%
\$62,501 to \$208,000	1.2%
\$208,001 and above	0.8%

B. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation available under §§ 58.1-642, 58.1-656, 58.1-1021.03, and 58.1-1730, Code of Virginia, shall be suspended.

C. Beginning with the return for June 2011, due July 2011, the compensation under § 58.1-1021.03 shall be reinstated.

#### § 3-5.08 SALES TAX COMMITMENT TO HIGHWAY MAINTENANCE AND OPERATING FUND

The sales and use tax revenue for distribution to the Highway Maintenance and Operating Fund shall be consistent with Chapter 766, 2013 Acts of Assembly.

#### § 3-5.09 INTANGIBLE HOLDING COMPANY ADDBACK

Notwithstanding the provisions of § 58.1-402(B)(8), Code of Virginia, for taxable years beginning on and after January 1, 2004:

(i) The exception in § 58.1-402(B)(8)(a)(1) for income that is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government shall be limited to and apply only to the portion of such income received by the related member that owns the intangible property, which portion is attributed to a state or foreign government in which such related member has sufficient nexus to be itself subject to such taxes; and

(ii) The exception in § 58.1-402(B)(8)(a)(2) for a related member deriving at least one-third of its gross revenues from licensing to unrelated parties shall be limited and apply to the portion of such income received by the related member that owns the intangible property and derived from licensing agreements for which the rates and terms are comparable to the rates and terms of agreements that such related member has entered into with unrelated entities.

#### § 3-5.10 REGIONAL FUELS TAX

Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions. However, no funds shall be collected pursuant to § 58.1-2291 et seq., Code of Virginia, from levying the additional sales tax on aviation fuel as that term is defined in § 58.1-2201, Code of Virginia.

#### § 3-5.11 DEDUCTION FOR ABLE ACT CONTRIBUTIONS

A. Effective for taxable years beginning on or after January 1, 2016, an individual shall be allowed a deduction from Virginia adjusted gross income as defined in § 58.1-321, Code of Virginia, for the amount contributed during the taxable year to an ABLE savings trust account entered into with the Virginia College Savings Plan pursuant to Chapter 7 ( § 23.1-700 et seq.) of Title 23.1, Code of Virginia. The amount deducted on any individual income tax return in any taxable year shall be limited to \$2,000 per ABLE savings trust account. No deduction shall be allowed pursuant to this section if such contributions are deducted on the contributor's federal income tax return. If the contribution to an ABLE savings trust account exceeds \$2,000 the remainder may be carried forward and subtracted in future taxable years until the ABLE savings trust contribution has been fully deducted; however, in no event shall the amount deducted in any taxable year exceed \$2,000 per ABLE savings trust account.

B. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, Code of Virginia, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified disability expenses, as defined in § 529A of the Internal Revenue Code; or (ii) the beneficiary's death.

C. A contributor to an ABLE savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed \$2,000 per ABLE savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount contributed to an ABLE savings trust account, less any amounts previously deducted.

D. The Tax Commissioner shall develop guidelines implementing the provisions of this section, including but not limited to the computation, carryover, and recapture of the deduction provided under this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq., Code of Virginia).

#### § 3-5.12 RETAIL SALES AND USE TAX EXEMPTION FOR RESEARCH FOR FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS

A. Notwithstanding any other provision of law or regulation, and beginning July 1, 2016 and ending June 30, 2018, the retail sales and use tax exemption provided for in subdivision 5 of § 58.1-609.3 of the Code of Virginia, applicable to tangible personal property purchased or leased for use or consumption directly and exclusively in basic research or research and development in the experimental or laboratory sense, shall apply to such property used in a federally funded research and development center, regardless of whether such property is used by the purchaser, lessee, or another person or entity.

B. Notwithstanding any other provision of law, beginning July 1, 2018, tangible personal property purchased by a federally funded research and development center sponsored by the U.S. Department of Energy shall be exempt from the retail sales and use tax.

C. Nothing in this section shall be construed to relieve any federally funded research and development center of any liability for retail sales and use tax due for the purchase of tangible personal property pursuant to the law in effect at the time of the purchase.

#### § 3-5.13 ADMISSIONS TAX

Notwithstanding the provisions of § 58.1-3818.02, Code of Virginia, or any other provision of law, subject to the execution of a memorandum of understanding between an entertainment venue and the County of Stafford, Stafford County is authorized to impose a tax on admissions to an entertainment venue located in the county that (i) is licensed to do business in the county for the first time on or after July 1, 2015, and (ii) requires at least 75 acres of land for its operations, and (iii) such land is purchased or leased by the entertainment venue owner on or after June 1, 2015. The tax shall not exceed 10 percent of the amount of charge for admission to any such venue. The provisions of this section shall expire on July 1, 2019 if no entertainment venue exists in Stafford County upon which the tax authorized is imposed.

#### § 3-5.14 SUNSET DATES FOR INCOME TAX CREDITS AND SALES AND USE TAX EXEMPTIONS

A. Notwithstanding any other provision of law the General Assembly shall not advance the sunset date on any existing sales tax exemption or tax credit beyond June 30, 2025. Any new sales tax exemption or tax credit enacted by the General Assembly after the 2019 regular legislative session, but prior to the 2024 regular legislative session, shall have a sunset date of not later than June 30, 2025. However, this requirement shall not apply to tax exemptions administered by the Department of Taxation under § 58.1-609.11, relating to exemptions for nonprofit entities nor shall it apply to exemptions or tax credits with sunset dates after June 30, 2022, enacted or advanced during the 2016 Session of the General Assembly, or to the Motion Picture Production Tax Credit under § 58.1-439.12:03, Code of Virginia.

B. By November 1, 2020, the Department of Taxation shall report to every member of the General Assembly and to the Joint Subcommittee to Evaluate Tax Preferences, on the revenue impact of every sales tax exemption and tax credit scheduled to expire on or before June 30, 2025. The report shall include the prior fiscal year's state and local sales tax impact of each expiring sales tax exemption, and the prior fiscal year's general fund revenue impact of each expiring tax credit. The tax credit revenue impact analysis shall be inclusive of credits claimed against any tax imposed under Title 58.1 of the Code of Virginia.

C. The Department shall provide an updated revenue impact report no later than November 1, 2025, and every five years thereafter, for sales tax exemptions and tax credits set to expire within two years following the date of the report. Such reports shall be distributed to every member of the General Assembly and to the Joint Subcommittee to Evaluate Tax Preferences.

### § 3-5.15 PROVIDER COVERAGE ASSESSMENT

A. The Department of Medical Assistance Services (DMAS) is authorized to levy an assessment upon private acute care hospitals operating in Virginia in accordance with this Item. Private acute care hospitals operating in Virginia shall pay a coverage assessment beginning on or after October 1, 2018. For the purposes of this coverage assessment, the definition of private acute care hospitals shall exclude public hospitals, freestanding psychiatric and rehabilitation hospitals, children's hospitals, long stay hospitals, long-term acute care hospitals and critical access hospitals.

B.1. The coverage assessment shall be used only to cover the non-federal share of the "full cost of expanded Medicaid coverage" for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, including the administrative costs of collecting the coverage assessment and implementing and operating the coverage for newly eligible adults which includes the costs of administering the provisions of the Section 1115 waiver.

2.a. The "full cost of expanded Medicaid coverage" shall include: 1) any and all Medicaid expenditures related to individuals eligible for Medicaid pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, including any federal actions or repayments; and, 2) all administrative costs associated with providing coverage, which includes the costs of administering the provisions of the Section 1115 waiver, and collecting the coverage assessment.

b. The "full cost of expanded Medicaid coverage" shall be updated: 1) on November 1 of each year based on the official Medicaid forecast and latest administrative cost estimates developed by DMAS; 2) no more than 30 days after the enactment of this Act to reflect policy changes adopted by the latest session of the General Assembly; and 3) on March 1 of any year in which DMAS estimates that the most recent non-federal share of the "full cost of expanded Medicaid coverage" times 1.08 will be insufficient to pay all expenses in 2.a. for that year.

C.1. The "coverage assessment amount" shall equal the non-federal share of the "full cost of expanded Medicaid coverage" times 1.02.

2. The "coverage assessment percentage" shall be calculated quarterly by dividing (i) the "coverage assessment amount" by (ii) the total "net patient service revenue" for hospitals subject to the assessment. The coverage assessment amount used in the quarterly calculation of the "coverage assessment percentage" shall include a reconciliation of the Health Care Coverage Assessment Fund prescribed in D.1 and subtract all prior quarterly assessments paid for that fiscal year before dividing the remainder by the remaining quarters in the fiscal year.

3. Each hospital's "net patient service revenue" equals the amount reported in the most recent Virginia Health Information (VHI) "Hospital Detail Report." Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment basis for the following fiscal year.

4. Each hospital's coverage assessment amount shall be calculated by multiplying the quarterly "coverage assessment percentage" times each hospital's net patient service revenue.

D.1. DMAS shall, at a minimum, update the "coverage assessment amount" whenever the "full cost of expanded Medicaid coverage" is updated in section B.2.b or to ensure amounts are sufficient to cover the full cost of expanded Medicaid coverage based on the latest estimate. Hospitals shall be given no less than 15 days' notice prior to the beginning of the quarter with associated calculations supporting the change in its coverage assessment amount. Prior to any change to the coverage assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Coverage Assessment Fund through the most recent complete quarter. Any estimated excess or shortfall of revenue shall be deducted from or added to the "coverage assessment amount."

2. DMAS shall be responsible for collecting the coverage assessment amount. Hospitals subject to the coverage assessment shall

make quarterly payments due no later than July 1, October 1, January 1 and April 1 of each state fiscal year.

3. Hospitals that fail to make the coverage assessment payments within 30 days of the due date shall incur a five percent penalty that shall be deposited in the Virginia Health Care Fund. Any unpaid coverage assessment or penalty will be considered a debt to the Commonwealth and DMAS is authorized to recover it as such.

E. DMAS shall submit a report, due September 1 of each year, to the Director, Department of Planning and Budget and Chairmen of the House Appropriations and Senate Finance Committees, and the Virginia Hospital and Healthcare Association. The report shall include, for the most recently completed fiscal year, the revenue collected from the coverage assessment, expenditures for purposes authorized by this Item, and the year-end coverage assessment balance in the Health Care Coverage Assessment Fund. The report shall also include a complete and itemized listing of all administrative costs included in the coverage assessment.

F. All revenue from the coverage assessment excluding penalties, shall be deposited into the Health Care Coverage Assessment Fund. Proceeds from the coverage assessment, excluding penalties, shall not be used for any other purpose than to cover the non-federal share of the full cost of expanded Medicaid coverage. Notwithstanding any other provision of law, the net state share of any prior year recovery of Medicaid expansion costs that were paid with coverage assessment revenue shall be deposited into the Health Care Coverage Assessment Fund.

G. Any provision of this Item is contingent upon approval by the Centers for Medicare and Medicaid Services if necessary.

H. The Hospital Payment Policy Advisory Council shall meet to consider the implementation and provisions of the Provider Coverage and Payment Rate Assessments in order to consider and make recommendations to ensure the collection and use of such funds are appropriate and consistent with the intent of the General Assembly. Specifically, the Council shall consider the level of detail and format necessary to develop the report pursuant to paragraph E. The Council shall recommend a format and associated level of detail, to be included in the report to the Joint Subcommittee for Health and Human Resources Oversight. The Joint Subcommittee shall approve the final format and associated level of detail of the report to be submitted by the Department of Medical Assistance Services.

#### § 3-5.16 PROVIDER PAYMENT RATE ASSESSMENT

A. The Department of Medical Assistance Services (DMAS) is hereby authorized to levy a payment rate assessment upon private acute care hospitals operating in Virginia in accordance with this item. Private acute care hospitals operating in Virginia shall pay a payment rate assessment beginning on or after October 1, 2018 when all necessary state plan amendments are approved by the Centers for Medicare and Medicaid Services (CMS). For purposes of this assessment, the definition of private acute care hospitals shall exclude public hospitals, freestanding psychiatric and rehabilitation hospitals, children's hospitals, long stay hospitals, long-term acute care hospitals and critical access hospitals.

B. Proceeds from the payment rate assessment shall be used to (i) fund an increase in inpatient and outpatient payment rates paid to private acute care hospitals operating in Virginia up to the "upper payment limit gap"; and (ii) fill the "managed care organization hospital payment gap" for care provided to recipients of medical assistance services. Payments made under the provisions i and ii of this paragraph shall be referred to as "private acute care hospital enhanced payments".

C.1. The Department of Medical Assistance Services (DMAS) shall calculate each hospital's "payment rate assessment amount" by multiplying the "payment rate assessment percentage" times "net patient service revenue" as defined below.

2. The "payment rate assessment percentage" for hospitals shall be calculated as (i) the non-federal share of funding the "private acute care hospitals enhanced payments" divided by (ii) the total "net patient service revenue" for hospitals subject to the assessment.

3. Each hospital's "net patient service revenue" equals the amount reported in the most recent Virginia Health Information (VHI) "Hospital Detail Report." Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment basis for the following fiscal year.

D. DMAS is authorized to update the payment rate assessment amount and payment rate assessment percentage on a quarterly basis to ensure amounts are sufficient to cover the non-federal share of the full cost of the private acute care hospital enhanced payments based on the department's quarterly claims and encounter data. Hospitals shall be given no less than 15 days prior notice of the new assessment amount and be provided with calculations. Prior to any change to the payment rate assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Provider Payment Rate Assessment Fund. Any estimated excess or shortfall of revenue since the previous reconciliation shall be deducted from or added to the calculation of the private acute care hospital enhanced payments.

E.1. The "upper payment limit" means the limit on payment for inpatient services for recipients of medical assistance established in accordance with 42 C.F.R. § 447.272 and outpatient services for recipients of medical assistance pursuant to 42 C.F.R. § 447.321 for private hospitals. DMAS shall complete a calculation of the "upper payment limit" for each state fiscal year with a detailed analysis of how it was determined. The "upper payment limit payment gap" means the difference between the amount of the private hospital upper payment limit and the amount otherwise paid pursuant to the state plan for inpatient

and outpatient services. The "managed care organization hospital payment gap" means the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims and the amount that would be included when the projected hospital services furnished by private acute care hospitals operating in Virginia are priced for the contract year equivalent to the maximum managed care directed payment amount as allowed by CMS subject to CMS approval under 42 C.F.R. section 438.6(c). As part of the development of the managed care capitation rates, the DMAS shall calculate a "Medicaid managed care organization (MCO) supplemental hospital capitation payment adjustment". This is a distinct additional amount that shall be added to Medicaid MCO capitation rates to fund supplemental payments under this section to private acute care hospitals operating in Virginia for services to Medicaid recipients.

2. DMAS shall contractually direct Medicaid MCOs to disburse supplemental hospital capitation payment funds consistent with this section and 42 C.F.R. § 438.6(c), to ensure that all such funds are disbursed to private acute care hospitals operating in Virginia. In addition, DMAS shall contractually prohibit MCOs from making reductions to or supplanting hospital payments otherwise paid by MCOs.

3. DMAS shall make available quarterly a report of the additional capitation payments that are made to each MCO pursuant to this item. Further, DMAS shall consider recommendations of the Medicaid Hospital Payment Policy and Advisory Council in designing and implementing the specific elements of the payment rate assessment and private acute care hospital supplemental payment program authorized by this item.

F.1. DMAS shall be responsible for collecting the payment rate assessment amount. Hospitals subject to the payment rate assessment shall make quarterly payments due no later than August 15, November 15, February 15 and May 15 of each state fiscal year.

2. Hospitals that fail to make the payment rate assessment payments on or before the due date in subsection F.1. shall incur a five percent penalty that shall be deposited in the Virginia Health Care Fund. Any unpaid payment assessment or penalty will be considered a debt to the Commonwealth and DMAS is authorized to recover it as such.

G. DMAS shall submit a report due September 1 of each year to the Director, Department of Planning and Budget and Chairmen of the House Appropriations and Senate Finance Committees. The report shall include, for the most recently completed fiscal year, the revenue collected from the payment rate assessment, expenditures for purposes authorized by this item, and the year-end assessment balance in the Health Care Provider Payment Rate Assessment Fund.

H. All revenue from the payment rate assessment shall be deposited into the Health Care Provider Payment Rate Assessment Fund, a special non-reverting fund in the state treasury. Proceeds from the payment rate assessment, excluding penalties, shall not be used for any other purpose than to fund (i) an increase in inpatient and outpatient payment rates paid to private acute care hospitals operating in Virginia up to the private hospital "upper payment limit" and "managed care organization hospital payment gap" for care provided to recipients of medical assistance services, and (ii) the administrative costs of collecting the assessment and of implementing and operating the associated payment rate actions.

I. Any provision of this Section is contingent upon approval by the Centers for Medicare and Medicaid Services if necessary.

#### § 3-5.17 TOBACCO TAX STUDY

The Joint Subcommittee to Evaluate Tax Preferences is hereby directed to continue studying options for the modernization of § 58.1-1001(A), Code of Virginia, to reflect advances in science and technology in the area of tobacco harm reduction, and the role innovative non-combustible tobacco products can play in reducing harm, including products that produce vapor or aerosol from heating tobacco or liquid nicotine. In addition, the Joint Subcommittee shall study possible reforms to the taxation of tobacco products that will provide fairness and equity for all local governments and also ensure stable tax revenues for the Commonwealth. The Joint Subcommittee shall complete its study and submit a final report with recommended reforms to the Finance Committees of the Virginia Senate and Virginia House of Delegates. All agencies of the Commonwealth shall provide assistance for this study, upon request.

#### §3-5.18 HISTORIC PRESERVATION TAX CREDIT

Notwithstanding § 58.1-339.2 or any other provision of law, effective for taxable years beginning on and after January 1, 2017, the amount of the Historic Rehabilitation Tax Credit that may be claimed by each taxpayer, including amounts carried over from prior taxable years, shall not exceed \$5 million for any taxable year.

#### § 3-5.19 LAND PRESERVATION TAX CREDIT CLAIMED

Notwithstanding § 58.1-512 or any other provision of law, effective for the taxable year beginning on and after January 1, 2017, but before January 1, 2023, the amount of the Land Preservation Tax Credit that may be claimed by each taxpayer, including amounts carried over from prior taxable years, shall not exceed \$20,000.

#### § 3-5.20 NEIGHBORHOOD ASSISTANCE ACT TAX CREDIT

Notwithstanding any other provision of law or regulation, in order to be eligible to receive an allocation of credits pursuant to § 58.1-439.20:1, Code of Virginia, at least 50 percent of the persons served by the neighborhood organization, either directly by the

neighborhood organization or through the provision of revenues to other organizations or groups serving such persons, shall be low-income persons or eligible students with disabilities and at least 50 percent of the neighborhood organization's revenues shall be used to provide services to low-income persons or to eligible students with disabilities, either directly by the neighborhood organization or through the provision of revenues to other organizations or groups providing such services. A tax credit shall be issued by the Superintendent of Public Instruction or the Commissioner of Social Services to an individual only upon receipt of a certification made by a neighborhood organization to whom tax credits were allocated for an approved program pursuant to § 58.1-439.20, § 58.1-439.20:1 or this language.

#### § 3-5.21 CIGARETTE TAX, TOBACCO PRODUCTS TAX AND TAX ON LIQUID NICOTINE

A. Notwithstanding any other provision of law, the cigarette tax imposed under subsection A of § 58.1-1001 of the Code of Virginia shall be 3.0 cents on each cigarette sold, stored or received on and after July 1, 2020.

B. Notwithstanding any other provision of law, the rates of the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia in effect on June 30, 2020 shall be doubled beginning July 1, 2020 for taxable sales or purchases occurring on and after such date.

C. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on liquid nicotine at the rate of \$0.066 per milliliter beginning July 1, 2020 for taxable sales or purchases occurring on and after such date.

D. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on any heated tobacco product at the rate of 2.25 cents per stick beginning January 1, 2021 for taxable sales or purchases occurring on and after such date.

E. The Tax Commissioner shall establish guidelines and rules for (i) transitional procedures in regard to the increase in the cigarette tax, (ii) implementation of the increased tobacco products tax rates, and (iii) implementation of the tobacco products tax on liquid nicotine pursuant to the provisions of this act. The development of such guidelines and rules by the Tax Commissioner shall be exempt from the provisions of the Administrative Process Act (Code of Virginia § 2.2-4000 et seq.)

F. Notwithstanding any other provision of law, beginning January 1, 2021, for the purposes of the Tobacco Products Tax, a Distributor, as defined in § 58.1-1021.01, shall be deemed to have sufficient activity within the Commonwealth to require registration under § 58.1-1021.04:1, if such distributor:

1. Receives more than \$100,000 in gross revenue, or other minimum amount as may be required by federal law, from sales of tobacco products in the Commonwealth in the previous or current calendar year, provided that in determining the amount of a dealer's gross revenues, the sales made by all commonly controlled persons as defined in subsection D of § 58.1-612 shall be aggregated; or

2. Engages in 200 or more separate tobacco products sales transactions, or other minimum amount as may be required by federal law, in the Commonwealth in the previous or current calendar year, provided that in determining the total number of a dealer's retail sales transactions, the sales made by all commonly controlled persons as defined in subsection D of § 58.1-612 shall be aggregated.

#### § 3-5.22 CORONAVIRUS DISEASE 2019 ADMINISTRATIVE TAX RELIEF

A. Any income tax payments originally due during the period from April 1, 2020 to June 1, 2020 may be submitted to the Department of Taxation without the accrual of interest as would otherwise be required for late payments pursuant to Chapter 3 of Title 58.1, provided that full payment is made on or before June 1, 2020. For purposes of this section, "income tax payment" means any payment required to be made with a return filed pursuant to §§ 58.1-341, 58.1-381, and 58.1-441; any payment required to be made with respect to an election to file an extension of time within which to file such a return; any payment of estimated tax required pursuant to Article 19 and Article 20 of Chapter 3 of Title 58.1; and any payment of consumer use tax made with a return filed pursuant to § 58.1-341.

B. The Department shall waive interest as otherwise required for late payments pursuant to Chapter 6 of Title 58.1 on any sales tax payment originally due March 20, 2020 for which a waiver of penalty was granted by the Department of Taxation, provided that such payment is submitted to the Department of Taxation on or before April 20, 2020.

#### § 3-5.23 CORPORATE INCOME TAX INFORMATIONAL REPORTING

A.1. Corporations that are members of a unitary business must file a report, in a manner prescribed by the Tax Commissioner, for the unitary combined group containing the unitary combined net income of such group. The report shall be based on taxable year 2019 computations and include, at a minimum the difference in tax owed as a result of filing a unitary combined report, computed according to the method or methods specified by the Tax Commissioner, compared to the tax owed under the current filing requirements.

2. "Unitary business" means a single economic enterprise made up either of separate parts of a single business entity or of a

commonly controlled group of business entities that are sufficiently interdependent, integrated, and interrelated through their activities so as to provide a synergy and mutual benefit that produces a sharing or exchange of value among them and a significant flow of value to the separate parts. A "unitary business" includes that part of the business that meets the definition in this section and is conducted by a taxpayer through the taxpayer's interest in a partnership, whether the interest in that partnership is held directly or indirectly through a series of partnerships or other pass-through entities. A "unitary business" shall not include persons subject to, or that would be subject to if doing business in the Commonwealth, the insurance premiums license tax under Chapter 25 (§ 58.1-2500 et seq.), Code of Virginia, or the bank franchise tax under Chapter 12 (§ 58.1-1200 et seq.)

3. The report must be submitted to the Department of Taxation on or before July 1, 2021, which date shall not be extended.

4. Members of a unitary combined group shall exclude as a member and disregard the income and apportionment factors of any corporation incorporated in a foreign jurisdiction (a "foreign corporation") if the average of its property, payroll and sales factors outside the United States is eighty percent (80%) or more. If a foreign corporation is includible as a member in the unitary combined group, to the extent that such foreign corporation's income is subject to the provisions of a federal income tax treaty, such income is not includible in the unitary combined group net income. Such member shall also not include in the unitary combined report any expenses or apportionment factors attributable to income that is subject to the provisions of a federal income tax treaty. For purposes of this paragraph, "federal income tax treaty" means a comprehensive income tax treaty between the United States and a foreign jurisdiction, other than a foreign jurisdiction which the organization for economic co-operation and development has determined has not committed to the internationally agreed tax standard, or has committed to the international agreed tax standard but has not yet substantially implemented that standard, as identified in the then-current organization for economic co-operation and development progress report.

B. The Tax Commissioner shall on or before December 1, 2021, based on the information provided in income tax returns and the data submitted under this section, submit a report to the Chair of the Senate Finance and Appropriations Committee, the Chair of the House Appropriations Committee, and the Chair of the House Finance Committee.

#### § 3-5.24 INDIVIDUAL INCOME TAX REBATE

*In addition to any refund due pursuant to § 58.1-309 of the Code of Virginia, and for taxable years beginning on and after January 1, 2021, but before January 1, 2022, an individual filing a return on or before November 1, 2022 or married persons filing a joint return on or before November 1, 2022 shall be issued a refund in an amount up to \$250 for an individual, or \$500 for married persons filing a joint return. An individual shall only be allowed a refund pursuant to this enactment up to the amount of such individual's tax liability after the application of any deductions, subtractions, or credits to which the individual is entitled pursuant to Chapter 3 (§ 58.1-300 et seq.) of Title 58.1 of the Code of Virginia. Married persons filing a joint return shall only be allowed a refund pursuant to this enactment up to the amount of such married persons' tax liability after the application of any deductions, subtractions, or credits to which the married persons are entitled pursuant to Chapter 3 of Title 58.1 of the Code of Virginia. Any refund issued pursuant to this enactment shall be subject to collection under the provisions of the Setoff Debt Collection Act (§ 58.1-520 et seq. of the Code of Virginia). For taxpayers filing a return before July 1, 2022, refunds due pursuant to this enactment shall be issued on or after July 1, 2022 but before October 17, 2022. For taxpayers filing a return on or after July 1, 2022, refunds due pursuant to this enactment shall be issued on or after July 1, 2022 but no later than 4 months after such return is filed. In no case shall any interest be paid on any refund due pursuant to this enactment.*

### § 3-6.00 ADJUSTMENTS AND MODIFICATIONS TO FEES

#### § 3-6.01 RECORDATION TAX FEE

There is hereby assessed a twenty dollar fee on (i) every deed for which the state recordation tax is collected pursuant to §§ 58.1-801 A and 58.1-803, Code of Virginia; and (ii) every certificate of satisfaction admitted under § 55.1-345, Code of Virginia. The revenue generated from fifty percent of such fee shall be deposited to the general fund. The revenue generated from the other fifty percent of such fee shall be deposited to the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, as established in § 10.1-2128.1, Code of Virginia. The funds deposited to this subfund shall be disbursed for the agricultural best management practices cost share program, pursuant to § 10.1-2128.1, Code of Virginia.

#### § 3-6.02 ANNUAL VEHICLE REGISTRATION FEE (\$4.25 FOR LIFE)

Notwithstanding § 46.2-694 paragraph 13 of the Code of Virginia, the additional fee that shall be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle shall be \$6.25.

#### § 3-6.03 DRIVERS LICENSE REINSTATEMENT FEE

A. Notwithstanding § 46.2-411 of the Code of Virginia, the drivers license reinstatement fee payable to the Trauma Center Fund shall be \$100.

B. Notwithstanding the provisions of § 46.2-395 of the Code of Virginia, no court shall suspend any person's privilege to drive a motor vehicle solely for failure to pay any fines, court costs, forfeitures, restitution, or penalties assessed against such person. The Commissioner of the Department of Motor Vehicles shall reinstate a person's privilege to drive a motor vehicle that was suspended prior to July 1, 2019, solely pursuant to § 46.2-395 of the Code of Virginia and shall waive all fees relating to reinstating such



person's driving privileges including those paid to the Trauma Center Fund. Nothing herein shall require the Commissioner to reinstate a person's driving privileges if such privileges have been otherwise lawfully suspended or revoked or if such person is otherwise ineligible for a driver's license.

§ 3-6.04 ASSESSMENT OF ELECTRONIC SUMMONS FEE BY LOCALITIES

Nothing in § 17.1-279.1 of the Code of Virginia shall be construed to authorize any county, city, or town to assess the sum set forth therein upon any summons issued by a law-enforcement agency of the Commonwealth.

§ 3-6.05 PROCEDURES FOR PREPAYMENT OF CIVIL PENALTIES IN AN EXECUTIVE ORDER

Any civil penalty under § 44-146.17(1) shall be prepayable in the amount set by executive order and in accordance with § 16.1-69.40:2 B of the Code of Virginia. Any civil penalty amount set by executive order shall not be construed or interpreted so as to limit the discretion of any trial judge trying individual cases at the time fixed for trial.

**PART 4: GENERAL PROVISIONS**  
**§ 4-0.00 OPERATING POLICIES**

§ 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, 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.
- 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

#### § 4-1.00 APPROPRIATIONS

##### § 4-1.01 PREREQUISITES FOR PAYMENT

a. The State Comptroller shall not pay any money out of the state treasury except pursuant to appropriations in this act or in any other act of the General Assembly making an appropriation during the current biennium.

b. Moneys shall be spent solely for the purposes for which they were appropriated by the General Assembly, except as specifically provided otherwise by § 4-1.03 Appropriation Transfers, § 4-4.01 Capital Projects, or § 4-5.01 a. Settlement of Claims with Individuals. Should the Governor find that moneys are not being spent in accordance with provisions of the act appropriating them, he shall restrain the State Comptroller from making further disbursements, in whole or in part, from said appropriations. Further, should the Auditor of Public Accounts determine that a state or other agency is not spending moneys in accordance with provisions of the act appropriating them, he shall so advise the Governor or other governing authority, the State Comptroller, the Chairman of the Joint Legislative Audit and Review Commission, and Chairmen of the Senate Finance and House Appropriations Committees.

c. Exclusive of revenues paid into the general fund of the state treasury, all revenues earned or collected by an agency, and contained in an appropriation item to the agency shall be expended first during the fiscal year, prior to the expenditure of any general fund appropriation within that appropriation item, unless prohibited by statute or by the terms and conditions of any gift, grant or donation.

##### § 4-1.02 WITHHOLDING OF SPENDING AUTHORITY

a. For purposes of this subsection, withholding of spending authority is defined as any action pursuant to a budget reduction plan approved by the Governor to address a declared shortfall in budgeted revenue that impedes or limits the ability to spend appropriated moneys, regardless of the mechanism used to effect such withholding.

b.1. Changed Expenditure Factors: The Governor is authorized to reduce spending authority, by withholding allotments of appropriations, when expenditure factors, such as enrollments or population in institutions, are smaller than the estimates upon which the appropriation was based. Moneys generated from the withholding action shall not be reallocated for any other purpose, provided the withholding of allotments of appropriations under this provision shall not occur until at least 15 days after the Governor has transmitted a statement of changed factors and intent to withhold moneys to the Chairmen of the House Appropriations and Senate Finance Committees.

2. Moneys shall not be withheld on the basis of reorganization plans or program evaluations until such plans or evaluations have been specifically presented in writing to the General Assembly at its next regularly scheduled session.

c. Increased Nongeneral Fund Revenue:

1. General fund appropriations to any state agency for operating expenses are supplemental to nongeneral fund revenues collected by the agency. To the extent that nongeneral fund revenues collected in a fiscal year exceed the estimate on which the operating budget was based, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an equivalent amount. However, this limitation shall not apply to (a) restricted excess tuition and fees for educational and general programs in the institutions of higher education, as defined in § 4-2.01 c of this act; (b) appropriations to institutions of higher education designated for fellowships, scholarships and loans; (c) gifts or grants which are made to any state agency for the direct costs of a stipulated project; (d) appropriations to institutions for the mentally ill or intellectually disabled payable from the Behavioral Health and Developmental Services Revenue Fund; and (e) general fund appropriations for highway construction and mass transit. Moneys unallotted under this provision shall not be reallocated for any other purpose.

2. To the degree that new or additional grant funds become available to supplement general fund appropriations for a program, following enactment of an appropriation act, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an amount equivalent to that provided from grant funds, unless such action is prohibited by the original provider of the grant funds. The withholding action shall not include general fund appropriations, which are required to match grant funds. Moneys unallotted under this provision shall not be reallocated for any other purpose.

d. Reduced General Fund Resources:

1. The term "general fund resources" as applied in this subsection includes revenues collected and paid into the general fund of the state treasury during the current biennium, transfers to the general fund of the state treasury during the current biennium, and all unexpended balances brought forward from the previous biennium.

2. In the event that general fund resources are estimated by the Governor to be insufficient to pay in full all general fund

appropriations authorized by the General Assembly, the Governor shall, subject to the qualifications herein contained, withhold general fund spending authority, by withholding allotments of appropriations, to prevent any expenditure in excess of the estimated general fund resources available.

3. In making this determination, the Governor shall take into account actual general fund revenue collections for the current fiscal year and the results of a formal written re-estimate of general fund revenues for the current and next biennium, prepared within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia. Said re-estimate of general fund revenues shall be communicated to the Chairmen of the Senate Finance, House Appropriations and House Finance Committees, prior to taking action to reduce general fund allotments of appropriations on account of reduced resources.

4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.

b) Within five business days after the preliminary close of the state accounts at the end of the fiscal year, the State Comptroller shall provide the Governor with the actual total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes for the just-completed fiscal year, with a comparison of such actual totals with the total of such taxes in the official budget estimate for that fiscal year. If that comparison indicates that the total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes, as shown on the preliminary close, was one percent or more below the amount of such taxes in the official budget estimate for the just-completed fiscal year, the Governor shall prepare a written re-estimate of general fund revenues for the current biennium and the next biennium in accordance with § 2.2-1503, Code of Virginia, to be reported to the Chairmen of the Senate Finance, House Finance and House Appropriations Committees, not later than September 1 following the close of the fiscal year.

5.a) The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House Appropriations and Senate Finance Committees. Subsequent modifications to the approved reduction plan also must be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, prior to withholding allotments of appropriations.

b) In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's Cabinet secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance Committees concurrently with that budget reduction plan.

6. In effecting the reduction of expenditures, the Governor shall not withhold allotments of appropriations for:

a) More than 15 percent cumulatively of the annual general fund appropriation contained in this act for operating expenses of any one state or nonstate agency or institution designated in this act by title, and the exact amount withheld, by state or nonstate agency or institution, shall be reported within five calendar days to the Chairmen of the Senate Finance and House Appropriations Committees. State agencies providing funds directly to grantees named in this act shall not apportion a larger cut to the grantee than the proportional cut apportioned to the agency. Without regard to § 4-5.05 b.4. of this act, the remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation, shall be made by July 31, or in two equal installments, one payable by July 31 and the other payable by December 31, if the remaining appropriation is less than or equal to \$500,000, except in cases where the normal conditions of the grant dictate a different payment schedule.

b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies and its authorities, or for payment of a legally authorized deficit.

c) The payments for care of graves of Confederate and historical African American dead.

d) The employer contributions, and employer-paid member contributions, to the Social Security System, Virginia Retirement System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System, Optional Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional Retirement Plan for Superintendents, the Volunteer Service Award Program, the Virginia Retirement System's group life insurance, sickness and disability, and retiree health care credit programs for state employees, state-supported local employees and teachers. If the Virginia Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower than the rate on which the appropriation was based, or if the United States government approves a Social Security rate that is lower than that in effect for the current budget, the Governor may withhold excess contributions. However, employer and employee paid rates or contributions for health insurance and matching deferred compensation for state employees, state-supported local employees and teachers may not be increased or decreased beyond the amounts approved by the General Assembly. Payments for the employee benefit programs listed in this paragraph may not be delayed beyond the customary billing cycles that have been established by law or policy by the governing board.

e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.

f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.

g) The salary of any officer or employee in the Executive Department by more than two percent (irrespective of the fund source for

payment of salaries and wages); however, the percentage of reduction shall be uniformly applied to all employees within the Executive Department.

h) The appropriation supported by the State Bar Fund, as authorized by § 54.1-3913, Code of Virginia, unless the supporting revenues for such appropriation are estimated to be insufficient to pay the appropriation.

7. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction or on an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to the maximum of 15 percent, as prescribed in subdivision 6a of this subsection.

8. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments of nongeneral fund appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriations; however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund sources on account of reduced revenues until such time as a formal written re-estimate of revenues for the current and next biennium, prepared in accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees. For purposes of this subsection, major nongeneral fund sources are defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.

9. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of each year of the biennium, or within 20 days from that date, any available unexpended balances in other funds in the state treasury, subject to the following:

a) The Governor shall declare in writing to the Chairmen of the Senate Finance and House Appropriations Committees that a fiscal emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of such transfer within five calendar days of the transfer;

b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by § 54.1-3913, Code of Virginia, debt service funds, or federal funds; and

c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the amount transferred from each account or fund and recommendations for restoring such amounts.

10. The Director, Department of Planning and Budget, shall make available via electronic means a report of spending authority withheld under the provisions of this subsection to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the action to withhold. Said report shall include the amount withheld by agency and appropriation item.

11. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between projected general fund resources and appropriations, the Speaker of the House of Delegates and the President pro tempore of the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the General Assembly.

#### § 4-1.03 APPROPRIATION TRANSFERS

##### GENERAL

a. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority from one state or other agency to another, to effect the following:

1) distribution of amounts budgeted in the central appropriation to agencies, or withdrawal of budgeted amounts from agencies in accordance with specific language in the central appropriation establishing reversion clearing accounts;

2) distribution of pass-through grants or other funds held by an agency as fiscal agent;

3) correction of errors within this act, where such errors have been identified in writing by the Chairmen of the House Appropriations and Senate Finance Committees;

4) proper accounting between fund sources 0100 and 0300 in higher education institutions;

5) transfers specifically authorized elsewhere in this act or as specified in the Code of Virginia;

6) to supplement capital projects in order to realize efficiencies or provide for cost overruns unrelated to changes in size or scope; or

7) to administer a program for another agency or to effect budgeted program purposes approved by the General Assembly, pursuant to a signed agreement between the respective agencies.

b. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority within an agency to effect proper accounting between fund sources and to effect program purposes approved by the General Assembly, unless specifically provided otherwise in this act or as specified in the Code of Virginia. However, appropriation authority for local aid programs and aid to individuals, with the exception of student financial aid, shall not be transferred elsewhere without advance notice to the Chairmen of the House Appropriations and Senate Finance Committees. Further, any transfers between capital projects shall be made only to realize efficiencies or provide for cost overruns unrelated to changes in size or scope.

c.1. In addition to authority granted elsewhere in this act, the Director, Department of Planning and Budget, may transfer operating appropriations authority among sub-agencies within the Judicial System, the Department of Corrections, and the Department of Behavioral Health and Developmental Services to effect changes in operating expense requirements which may occur during the biennium.

2. The Director, Department of Planning and Budget, may transfer appropriations from the Department of Behavioral Health and Developmental Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided by its institutions and Community Services Boards.

3. The Director, Department of Planning and Budget, may transfer appropriations from the Office of Comprehensive Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided to eligible children.

4. The Director, Department of Planning and Budget, may transfer an appropriation or portion thereof within a state or other agency, or from one such agency to another, to support changes in agency organization, program or responsibility enacted by the General Assembly to be effective during the current biennium.

5. The Director, Department of Planning and Budget, may transfer appropriations from the second year to the first year, with said transfer to be reported in writing to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the transfer, when the expenditure of such funds is required to:

a) address a threat to life, safety, health or property, or

b) provide for unbudgeted cost increases for statutorily required services or federally mandated services, in order to continue those services at the present level, or

c) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or

d) provide for payments to the beneficiaries of certain public safety officers killed in the line of duty, as authorized in Title 2.2, Chapter 4, Code of Virginia and for payments to the beneficiaries of certain members of the National Guard and United States military reserves killed in action in any armed conflict on or after October 7, 2001, as authorized in § 44-93.1 B., Code of Virginia, or

e) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in workload such as enrollment, caseload or like factors, or unanticipated costs, or

f) to address unanticipated business or industrial development opportunities which will benefit the state's economy, provided that any such appropriations be used in a manner consistent with the purposes of the program as originally appropriated.

6. An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed specifically for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized budgeting and accounting systems.

7. The Director, Department of Planning and Budget, may transfer from any other agency, appropriations to supplement any project of the Virginia Public Building Authority authorized by the General Assembly and approved by the Governor. Such capital project shall be transferred to the state agency designated as the managing agency for the Virginia Public Building Authority.

8. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 of Title 15.2 of the Code of Virginia (§ 15.2-4100 et seq.) or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 of Title 15.2, Code of Virginia (§ 15.2-3500 et seq.) subsequent to July 1, 1999, the provisions of § 15.2-1302 shall govern distributions from state agencies to the county in which the town is situated or to the consolidated city, and the Director, Department of Planning and Budget, is authorized to transfer appropriations or portions thereof within a state agency, or from one such agency to another, if necessary to fulfill the requirements of § 15.2-1302.

#### § 4-1.04 APPROPRIATION INCREASES

a. UNAPPROPRIATED NONGENERAL FUNDS:

1. Sale of Surplus Materials:

The Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of credit resulting from the sale of surplus materials under the provisions of § 2.2-1125, Code of Virginia.

2. Insurance Recovery:

The Director, Department of Planning and Budget, shall increase the appropriation authority for any state agency by the amount of the proceeds of an insurance policy or from the State Insurance Reserve Trust Fund, for expenditures as far as may be necessary, to pay for the repair or replacement of lost, damaged or destroyed property, plant or equipment.

3. Gifts, Grants and Other Nongeneral Funds:

a) Subject to § 4-1.02 c, Increased Nongeneral Fund Revenue, and the conditions stated in this section, the Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of the proceeds of donations, gifts, grants or other nongeneral funds paid into the state treasury in excess of such appropriations during a fiscal year. Such appropriations shall be increased only when the expenditure of moneys is authorized elsewhere in this act or is required to:

- 1) address a threat to life, safety, health or property or
- 2) provide for unbudgeted increases in costs for services required by statute or services mandated by the federal government, in order to continue those services at the present level or implement compensation adjustments approved by the General Assembly, or
- 3) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or
- 4) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in noncredit instruction at institutions of higher education or business and industrial development opportunities which will benefit the state's economy, or
- 5) participate in a federal or sponsored program provided that the provisions of § 4-5.03 shall also apply to increases in appropriations for additional gifts, grants, and other nongeneral fund revenue which require a general fund match as a condition of their acceptance; or
- 6) realize cost savings in excess of the additional funds provided, or
- 7) permit a state agency or institution to use a donation, gift or grant for the purpose intended by the donor, or
- 8) provide for cost overruns on capital projects and for capital projects authorized under § 4-4.01 m of this act, or
- 9) address caseload or workload changes in programs approved by the General Assembly.

b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.

c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from donations, gifts or other nongeneral fund revenue. The Department of Planning and Budget shall review such estimates and verify their accuracy, as part of the budget planning and review process.

d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the Director, Department of Planning and Budget. Expenditures from any gift, grant or donation shall be in accordance with the purpose for which it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject to the provisions of §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects General, and 4-5.03 b Services and Clients-New Services, of this act.

e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations, Gifts, Grants, and Contracts of this act.

4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director, Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise. Revenues deposited to the Virginia Health Care Fund shall be used only as the state share of Medicaid, unless the General Assembly specifically authorizes an alternate use. With regard to the appropriation of other nongeneral fund cash balances, the Director shall make a listing of such transactions available to the public via electronic means no less than ten business days following the approval of the appropriation of any such balance.

5. Reporting:

The Director, Department of Planning and Budget, shall make available via electronic means a report on increases in

unappropriated nongeneral funds in accordance with § 4-8.00, Reporting Requirements, or as modified by specific provisions in this subsection.

**b. AGRIBUSINESS EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS**

The Director of the Department of Planning and Budget may increase the Department of Corrections appropriation for the purchase of agribusiness equipment or the repair or construction of agribusiness facilities by an amount equal to fifty percent of any annual amounts in excess of fiscal year 1992 deposits to the general fund from agribusiness operations. It is the intent of the General Assembly that appropriation increases for the purposes specified shall not be used to reduce the general fund appropriations for the Department of Corrections.

**§ 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS**

**a. GENERAL FUND OPERATING EXPENSE:**

1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium or (ii) the last day of the first year of the current biennium, shall be reappropriated and allotted for expenditure where required by the Code of Virginia, where necessary for the payment of preexisting obligations for the purchase of goods or services, or where desirable, in the determination of the Governor, to address any of the six conditions listed in § 4-1.03 c.5 of this act or to provide financial incentives to reduce spending to effect current or future cost savings. With the exception of the unexpended general fund appropriations of agencies in the Legislative Department, the Judicial Department, the Independent Agencies, or institutions of higher education, all other such unexpended general fund appropriations unexpended on the last day of the previous biennium or the last day of the first year of the current biennium shall revert to the general fund.

b) General fund appropriations for agencies in the Legislative Department, the Judicial Department, and the Independent Agencies shall be reappropriated, except as may be specifically provided otherwise by the General Assembly. General fund appropriations shall also be reappropriated for institutions of higher education, subject to § 23.1-1002, Code of Virginia.

c) To improve the stability in institutional planning and predictability for students and families to prepare for the cost of higher education, public higher education institutions are encouraged to employ the financial management strategy of establishing an institutional reserve fund supported by any unexpended education and general appropriations of the institution at the end of the fiscal year. The establishment of such a fund is designed to foster more long-term planning, promote efficient resource utilization and reduce the need for substantial year-to-year increases in tuition, thereby increasing affordability for Virginians. Independent of the provisions of § 23.1-1001, institutions are authorized to carry over education and general unexpended balances to establish and maintain a reserve fund in an amount not to exceed six percent of their general fund appropriation for educational and general programs in the most recently-completed fiscal year. Any use of the reserve fund shall be approved by the Board of Visitors of the affected institution, and the institution shall immediately report the details of the approved plan for use of the reserve fund to the Governor, the Secretary of Education, the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance Committees. Any reserve fund shall be subject to the provisions of § 23.1-1303.B.11.

2. a. The Governor shall report within five calendar days after completing the reappropriation process to the Chairmen of the Senate Finance and House Appropriations Committees on the reappropriated amounts for each state agency in the Executive Department. He shall provide a preliminary report of reappropriation actions on or before November 1 and a final report on or before December 20 to the Chairmen of the House Appropriations and Senate Finance Committees.

b. The Director, Department of Planning and Budget, may transfer reappropriated amounts within an agency to cover nonrecurring costs.

3. Pursuant to subsection E of § 2.2-1125, Code of Virginia, the determination of compliance by an agency or institution with management standards prescribed by the Governor shall be made by the Secretary of Finance and the Secretary having jurisdiction over the agency or institution, acting jointly.

4. The general fund resources available for appropriation in the first enactment of this act include the reversion of certain unexpended balances in operating appropriations as of June 30 of the prior fiscal year, which were otherwise required to be reappropriated by language in the Appropriation Act.

5. Upon request, the Director, Department of Planning and Budget, shall provide a report to the Chairmen of the House Appropriations and Senate Finance Committees showing the amount reverted for each agency and the total amount of such reversions.

**b. NONGENERAL FUND OPERATING EXPENSE:**

Based on analysis by the State Comptroller, when any nongeneral fund has had no increases or decreases in fund balances for a period of 24 months, the State Comptroller shall promptly transfer and pay the balance into the fund balance of the general fund. If it is subsequently determined that an appropriate need warrants repayment of all or a portion of the amount transferred, the Director, Department of Planning and Budget shall include repayment in the next budget bill submitted to the General Assembly. This provision does not apply to funds held in trust by the Commonwealth.



## c. CAPITAL PROJECTS:

1. Upon certification by the Director, Department of Planning and Budget, the State Comptroller is hereby authorized to revert to the fund balance of the general fund any portion of the unexpended general fund cash balance and corresponding appropriation or reappropriation for a capital project when the Director determines that such portion is not needed for completion of the project. The State Comptroller may similarly return to the appropriate fund source any part of the unexpended nongeneral fund cash balance and reduce any appropriation or reappropriation which the Director determines is not needed to complete the project.

2. The unexpended general fund cash balance and corresponding appropriation or reappropriation for capital projects shall revert to and become part of the fund balance of the general fund during the current biennium as of the date the Director, Department of Planning and Budget, certifies to the State Comptroller that the project has been completed in accordance with the intent of the appropriation or reappropriation and there are no known unpaid obligations related to the project. The State Comptroller shall return the unexpended nongeneral fund cash balance, if there be any, for such completed project to the source from which said nongeneral funds were obtained. Likewise, he shall revert an equivalent portion of the appropriation or reappropriation of said nongeneral funds.

3. The Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if he shall subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for which an unexpended cash balance was returned and appropriation or reappropriation was reverted in the prior biennium, he may likewise restore any portion of such amount under the same conditions.

## § 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

## a. LIMITED CONTINUATION OF APPROPRIATIONS.

Notwithstanding any contrary provision of law, any unexpended balances on the books of the State Comptroller as of the last day of the previous biennium shall be continued in force for such period, not exceeding 10 days from such date, as may be necessary in order to permit payment of any claims, demands or liabilities incurred prior to such date and unpaid at the close of business on such date, and shown by audit in the Department of Accounts to be a just and legal charge, for values received as of the last day of the previous biennium, against such unexpended balances.

## b. LIMITATIONS ON CASH DISBURSEMENTS.

Notwithstanding any contrary provision of law, the State Comptroller may begin preparing the accounts of the Commonwealth for each subsequent fiscal year on or about 10 days before the start of such fiscal year. The books will be open only to enter budgetary transactions and transactions that will not require the receipt or disbursement of funds until after June 30. Should an emergency arise, or in years in which July 1 falls on a weekend requiring the processing of transactions on or before June 30, the State Comptroller may, with notification to the Auditor of Public Accounts, authorize the disbursement of funds drawn against appropriations of the subsequent fiscal year, not to exceed the sum of three million dollars (\$3,000,000) from the general fund. This provision does not apply to debt service payments on bonds of the Commonwealth which shall be made in accordance with bond documents, trust indentures, and/or escrow agreements.

## § 4-1.07 ALLOTMENTS

Except when otherwise directed by the Governor within the limits prescribed in §§ 4-1.02 Withholding of Spending Authority, 4-1.03 Appropriation Transfers, and 4-1.04 Appropriation Increases of this act, the Director, Department of Planning and Budget, shall prepare and act upon the allotment of appropriations required by this act, and by § 2.2-1819, Code of Virginia, and the authorizations for rates of pay required by this act. Such allotments and authorizations shall have the same effect as if the personal signature of the Governor were subscribed thereto. This section shall not be construed to prohibit an appeal by the head of any state agency to the Governor for reconsideration of any action taken by the Director, Department of Planning and Budget, under this section.

**§ 4-2.00 REVENUES**

## § 4-2.01 NONGENERAL FUND REVENUES

## a. SOLICITATION AND ACCEPTANCE OF DONATIONS, GIFTS, GRANTS, AND CONTRACTS:

1. a) No state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds, except that donations or gifts to the Virginia War Memorial Foundation that are small in size and number and valued at less than \$5,000, such as library items or small display items, may be approved by the Executive Director of the Virginia War Memorial in consultation with the Secretary of Veterans Affairs and Homeland Security. All other gifts and donations to the Virginia War Memorial Foundation must receive written approval from the Secretary of Veterans Affairs and Homeland Security.

b) The limits on solicitation and acceptance of donations, gifts, grants, and contracts stated in paragraph 1.a) above shall not apply to donations, gifts, grants, and contracts associated with support and/or response to the needs and impacts of the COVID-19 pandemic provided that acceptance of such does not create any ongoing commitments against general or nongeneral fund resources of the Commonwealth.

2. The Governor may issue policies in writing for procedures which allow state agencies to solicit and accept nonmonetary donations, gifts, grants, or contracts except that donations, gifts and grants of real property shall be subject to § 4-4.00 of this act and § 2.2-1149, Code of Virginia. This provision shall apply to donations, gifts and grants of real property to endowment funds of institutions of higher education, when such endowment funds are held by the institution in its own name and not by a separately incorporated foundation or corporation.

3. The preceding subdivisions shall not apply to property and equipment acquired and used by a state agency or institution through a lease purchase agreement and subsequently donated to the state agency or institution during or at the expiration of the lease purchase agreement, provided that the lessor is the Virginia College Building Authority.

4. The use of endowment funds for property, plant or equipment for state-owned facilities is subject to §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects-General and 4-5.03 Services and Clients of this act.

5. Notwithstanding any other provision of law, public institutions of higher education may enter into agreements or contracts with nonprofit organizations that provide funding for research or other mission related activities and require use of binding arbitration or application of the laws of another jurisdiction, upon approval of the Office of the Attorney General.

#### b. HIGHER EDUCATION TUITION AND FEES

1. Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, all nongeneral fund collections by public institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment funds, or income derived from endowments and gifts.

2. a) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at levels they deem to be appropriate for all resident student groups based on, but not limited to, competitive market rates, provided that the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for educational and general programs provided in this act.

b) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at levels they deem to be appropriate for all nonresident student groups based on, but not limited to, competitive market rates, provided that: i) the tuition and mandatory educational and general fee rates for nonresident undergraduate and graduate students cover at least 100 percent of the average cost of their education, as calculated through base adequacy guidelines adopted, and periodically amended, by the Joint Subcommittee Studying Higher Education Funding Policies, and ii) the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for educational and general programs provided in this act.

c) For institutions charging nonresident students less than 100 percent of the cost of education, the State Council of Higher Education for Virginia may authorize a phased approach to meeting this requirement, when in its judgment, it would result in annual tuition and fee increases for nonresident students that would discourage their enrollment.

d) The Boards of Visitors or other governing bodies of institutions of higher education shall not increase the current proportion of nonresident undergraduate students if the institution's nonresident undergraduate enrollment exceeds 25 percent, unless: i) such enrollment is intended to support workforce development needs within the Commonwealth of Virginia as identified in consultation with the Virginia Economic Development Partnership, and ii) the number of in-state undergraduate students does not drop below fall 2018 full-time equivalent census levels as certified by the State Council of Higher Education for Virginia. Norfolk State University, Virginia Military Institute, Virginia State University, and two-year public institutions are exempt from this restriction. Any such increases shall be limited to no more than a one percentage point increase over the prior year.

3. a) In setting the nongeneral fund appropriation for educational and general programs at the institutions of higher education, the General Assembly shall take into consideration the appropriate student share of costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

b) In determining the appropriate state share of educational costs for resident students, the General Assembly shall seek to cover at least 67 percent of educational costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

4. a) Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as well as the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities to citizens of

Virginia is served, while recognizing the material contributions provided by the presence of nonresident students. The State Council of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

b) The State Council of Higher Education for Virginia shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 1 of each year the annual change in total charges for tuition and all required fees approved and allotted by the Board of Visitors. As it deems appropriate, the State Council of Higher Education for Virginia shall provide comparative national, peer, and market data with respect to charges assessed students for tuition and required fees at institutions outside of the Commonwealth.

c) Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.

d) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 144 and 145 of the 2019 Acts of Assembly, each institution shall work with the State Council of Higher Education for Virginia and the Virginia College Savings Plan to determine appropriate tuition and fee estimates for tuition savings plans.

5. It is the intent of the General Assembly that each institution's combined general and nongeneral fund appropriation within its educational and general program closely approximate the anticipated annual budget each fiscal year.

6. Nonresident graduate students employed by an institution as teaching assistants, research assistants, or graduate assistants and paid at an annual contract rate of \$4,000 or more may be considered resident students for the purposes of charging tuition and fees.

7. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002.

8. a) 1) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, mandatory fees for purposes other than educational and general programs shall not be increased for Virginia undergraduates beyond three percent annually, excluding requirements for wage, salary, and fringe benefit increases, authorized by the General Assembly. Fee increases required to carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on the purposes of the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase.

2) The University of Mary Washington is hereby authorized to undertake a review of its tuition and fee structure for the purpose of more closely aligning auxiliary fees, including room, board, and the comprehensive fee, with auxiliary expenditure budgets. Adjustments to mandatory fees in auxiliary programs may exceed three percent subject to annual approval by the University's Board of Visitors to the extent required to effect budgetary alignment of revenues and expenditures. This exemption will be limited to the period beginning in fiscal year 2019-20 and extending through the end of fiscal year 2023-24.

b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the General Assembly.

c) Due to the small mandatory non-educational and general program fees currently assessed students in the Virginia Community College System, increases in any one year of no more than \$15 shall be allowed on a cost-justified case-by-case basis, subject to approval by the State Board for Community Colleges.

9. Any institution of higher education granting new tuition waivers to resident or nonresident students not authorized by the Code of Virginia must absorb the cost of any discretionary waivers.

10. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

c. HIGHER EDUCATION PLANNED EXCESS REVENUES:

An institution of higher education, except for those public institutions governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, may generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition and Fees, subject to the following:

1. Such revenues are identified by language in the appropriations in this act to any such institution.
2. The use of such moneys is fully documented by the institution to the Governor prior to each fiscal year and prior to allotment.
3. The moneys are supplemental to, and not a part of, ongoing expenditure levels for educational and general programs used as the basis for funding in subsequent biennia.
4. The receipt and expenditure of these moneys shall be recorded as restricted funds on the books of the Department of Accounts and shall not revert to the surplus of the general fund at the end of the biennium.
5. Tuition and fee revenues generated by the institution other than as provided herein shall be subject to the provisions of § 4-1.04 a.3 Gifts, Grants, and Other Nongeneral Funds of this act.

#### § 4-2.02 GENERAL FUND REVENUE

##### a. STATE AGENCY PAYMENTS INTO GENERAL FUND:

1. Except as provided in § 4-2.02 a.2., all moneys, fees, taxes, charges and revenues received at any time by the following agencies from the sources indicated shall be paid immediately into the general fund of the state treasury:

##### a) Marine Resources Commission, from all sources, except:

- 1) Revenues payable to the Public Oyster Rocks Replenishment Fund established by § 28.2-542, Code of Virginia.
- 2) Revenue payable to the Virginia Marine Products Fund established by § 3.2-2705, Code of Virginia.
- 3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § 28.2-302.3, Code of Virginia.
- 4) Revenue payable to the Marine Fishing Improvement Fund established by § 28.2-208, Code of Virginia.
- 5) Revenue payable to the Marine Habitat and Waterways Improvement Fund established by § 28.2-1206, Code of Virginia.
- 6) Revenue payable to the Oyster Leasing Conservation and Replenishment Programs Fund.

b1) Department of Labor and Industry, or any other agency, for the administration of the state labor and employment laws under Title 40.1, Code of Virginia.

2) Department of Labor and Industry, from boiler and pressure vessel inspection certificate fees, pursuant to § 40.1-51.15, Code of Virginia.

c) All state institutions for the mentally ill or intellectually disabled, from fees or per diem paid employees for the performance of services for which such payment is made, except for a fee or per diem allowed by statute to a superintendent or staff member of any such institution when summoned as a witness in any court.

d) Secretary of the Commonwealth, from all sources.

e) The Departments of Corrections and Juvenile Justice, as required by law, including revenues from sales of dairy and other farm products.

f) Auditor of Public Accounts, from charges for audits or examinations when the law requires that such costs be borne by the county, city, town, regional government or political subdivision of such governments audited or examined.

g) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.

h) Department of the Treasury, from the following source:

Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.

i) Attorney General, from recoveries of attorneys' fees and costs of litigation.

j) Department of Social Services, from net revenues received from child support collections after all disbursements are made in accordance with state and federal statutes and regulations, and the state's share of the cost of administering the programs is paid.

k) Department of General Services, from net revenues received from refunds of overpayments of utilities charges in prior fiscal years, after deduction of the cost of collection and any refunds due to the federal government.

l) Without regard to paragraph e) above, the following revenues shall be excluded from the requirement for deposit to the general fund and shall be deposited as follows: (1) payments to Virginia Correctional Enterprises shall be deposited into the Virginia

Correctional Enterprises Fund; (2) payments to the Departments of Corrections and Juvenile Justice for work performed by inmates, work release prisoners, probationers or wards, which are intended to cover the expenses of these inmates, work release prisoners, probationers, or wards, shall be retained by the respective agencies for their use; and (3) payments to the Departments of Corrections and Juvenile Justice for work performed by inmates in educational programs shall be retained by the agency to increase vocational training activities and to purchase work tools and work clothes for inmates, upon release.

2. The provisions of § 4-2.02 a.1. State Agency Payments into General Fund shall not apply to proceeds from the sale of surplus materials pursuant to § 2.2-1125, Code of Virginia. However, the State Comptroller is authorized to transfer to the general fund of the state treasury, out of the credits under § 4-1.04 a.1 Unappropriated Nongeneral Funds – Sale of Surplus Materials of this act, sums derived from the sale of materials originally purchased with general fund appropriations. The State Comptroller may authorize similar transfers of the proceeds from the sale of property not subject to § 2.2-1124, Code of Virginia, if said property was originally acquired with general fund appropriations, unless the General Assembly provides otherwise.

a. Without regard to § 4-2.02 a.1 above, payments to the Treasurer of Virginia assessed to insurance companies for the safekeeping and handling of securities or surety bonds deposited as insurance collateral shall be deposited into the Insurance Collateral Assessment Fund to defray such safekeeping and handling expenses.

b. DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT

Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of Virginia; (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from the use of money and property required and/or authorized to be paid into the general fund of the treasury; and (iii) amounts required to be deposited to the general fund of the state treasury pursuant to § 4-2.02 a.1., of this act. However, in no case shall (i) lump-sum payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia.

c. DATE OF RECEIPT OF REVENUES:

All June general fund collections received under Subtitle I of Title 58.1, Code of Virginia, bearing a postmark date or electronic transactions with a settlement or notification date on or before the first business day in July, when June 30 falls on a Saturday or Sunday, shall be considered as June revenue and recorded under guidelines established annually by the Department of Accounts.

d. RECOVERIES BY THE OFFICE OF THE ATTORNEY GENERAL

1. As a condition of the appropriation for Item 59 of this Act, there is hereby created the Disbursement Review Committee (the "Committee"), the members of which are the Attorney General, who shall serve as chairman; two members of the House of Delegates appointed by the Speaker of the House; two members of the Senate appointed by the Chairman of the Senate Committee on Rules; and two members appointed by the Governor.

2. Whenever forfeitures are available for distribution by the Attorney General through programs overseen by either the U.S. Department of Justice Asset Forfeiture Program or the U.S. Treasury Executive Office for Asset Forfeiture, by virtue of the Attorney General's participation on behalf of the Commonwealth or on behalf of an agency of the Commonwealth, the Attorney General shall seek input from the Committee, to the extent permissible under applicable federal law and guidelines, for the preparation of a proposed Distribution Plan (the "Plan") regarding the distribution and use of money or property, or both. If a federal entity must approve the Plan for such distribution or use, or both, and does not approve the Plan submitted by the Attorney General, the Plan may be revised if deemed appropriate and resubmitted to the federal entity for approval following notification of the Committee. If the federal entity approves the original Plan or a revised Plan, the Attorney General shall inform the Committee, and ensure that such money or property, or both, is distributed or used, or both, in a manner that is consistent with the Plan approved by the federal entity. The distribution of any money or property, or both, shall be done in a manner as prescribed by the State Comptroller and consistent with any federal authorization in order to ensure proper accounting on the books of the Commonwealth.

§ 4-2.03 INDIRECT COSTS

a. INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:

Each state agency, including institutions of higher education, which accepts a grant or contract shall recover full statewide and agency indirect costs unless prohibited by the grantor agency or exempted by provisions of this act.

b. AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:

The following conditions shall apply to indirect cost recoveries received by all agencies other than institutions of higher

education:

1. The Governor shall include in the recommended nongeneral fund appropriation for each agency in this act the amount which the agency includes in its revenue estimate as an indirect cost recovery. The recommended nongeneral fund appropriations shall reflect the indirect costs in the program incurring the costs.
2. If actual agency indirect cost recoveries exceed the nongeneral fund amount appropriated in this act, the Director, Department of Planning and Budget, is authorized to increase the nongeneral fund appropriation to the agency by the amount of such excess indirect cost recovery. Such increase shall be made in the program incurring the costs.
3. Statewide indirect cost recoveries shall be paid into the general fund of the state treasury, unless the agency is specifically exempted from this requirement by language in this act. Any statewide indirect cost recoveries received by the agency in excess of the exempted sum shall be deposited to the general fund of the state treasury.

c. INSTITUTIONS OF HIGHER EDUCATION:

The following conditions shall apply to indirect cost recoveries received by institutions of higher education:

1. Seventy percent shall be retained by the institution as an appropriation of moneys for the conduct and enhancement of research and research-related requirements. Such moneys may be used for payment of principal of and interest on bonds issued by or for the institution pursuant to § 23.1-1106, Code of Virginia, for any appropriate purpose of the institution, including, but not limited to, the conduct and enhancement of research and research-related requirements.
2. Thirty percent of the indirect cost recoveries for the level of sponsored programs authorized in the appropriations in Part 1 of Chapter 1042 of the Acts of Assembly of 2003, shall be included in the educational and general revenues of the institution to meet administrative costs.
3. Institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grant and contract levels in excess of the levels authorized in Chapter 1042 of the Acts of Assembly of 2003. This provision is included as an additional incentive for increasing externally funded research activities.

d. REPORTS

The Director, Department of Planning and Budget, shall make available via electronic means a report to the Chairmen of the Senate Finance and House Appropriations Committees and the public no later than September 1 of each year on the indirect cost recovery moneys administratively appropriated.

e. REGULATIONS:

The State Comptroller is hereby authorized to issue regulations to carry out the provisions of this subsection, including the establishment of criteria to certify that an agency is in compliance with the provisions of this subsection.

**§ 4-3.00 DEFICIT AUTHORIZATION AND TREASURY LOANS**

§ 4-3.01 DEFICITS

a. GENERAL:

1. Except as provided in this section no state agency shall incur a deficit. No state agency receiving general fund appropriations under the provisions of this act shall obligate or expend moneys in excess of its general fund appropriations, nor shall it obligate or expend moneys in excess of nongeneral fund revenues that are collected and appropriated.
2. The Governor is authorized to approve deficit funding for a state agency under the following conditions:
  - a) an unanticipated federal or judicial mandate has been imposed,
  - b) insufficient moneys are available in the first year of the biennium for start-up of General Assembly-approved action, or
  - c) delay pending action by the General Assembly at its next legislative session will result in the curtailment of services required by statute or those required by federal mandate or will produce a threat to life, safety, health or property.
  - d) Such approval by the Governor shall be in writing under the conditions described in § 4-3.02 a Authorized Deficit Loans of this act and shall be promptly communicated to the Chairmen of the House Appropriations and Senate Finance Committees within five calendar days of deficit approval.
3. Deficits shall not be authorized for capital projects.

4. The Department of Transportation may obligate funds in excess of the current biennium appropriation for projects of a capital nature not covered by § 4-4.00 Capital Projects, of this act provided such projects a) are delineated in the Virginia Transportation

Six-Year Improvement Program, as approved by the Commonwealth Transportation Board; and b) have sufficient cash allocated to each such project to cover projected costs in each year of the Program; and provided that c) sufficient revenues are projected to meet all cash obligations for such projects as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

b. **UNAUTHORIZED DEFICITS:** If any agency contravenes any of the prohibitions stated above, thereby incurring an unauthorized deficit, the Governor is hereby directed to withhold approval of such excess obligation or expenditure. Further, there shall be no reimbursement of said excess, nor shall there be any liability or obligation upon the state to make any appropriation hereafter to meet such unauthorized deficit. Further, those members of the governing board of any such agency who shall have voted therefor, or its head if there be no governing board, making any such excess obligation or expenditure shall be personally liable for the full amount of such unauthorized deficit and, at the discretion of the Governor, shall be deemed guilty of neglect of official duty and be subject to removal therefor. Further, the State Comptroller is hereby directed to make public any such unauthorized deficit, and the Director, Department of Planning and Budget, is hereby directed to set out such unauthorized deficits in the next biennium budget. In addition, the Governor is directed to bring this provision of this act to the attention of the members of the governing board of each state agency, or its head if there be no governing board, within two weeks of the date that this act becomes effective. The governing board or the agency head shall execute and return to the Governor a signed acknowledgment of such notification.

c. **TOTAL AUTHORIZED DEFICITS:** The amount which the Governor may authorize, under the provisions of this section during the current biennium, to be expended from loans repayable out of the general fund of the state treasury, for all state agencies, or other agencies combined, in excess of general fund appropriations for the current biennium, shall not exceed one and one-half percent (1 1/2%) of the revenues collected and paid into the general fund of the state treasury as defined in § 4-2.02 b. of this act during the last year of the previous biennium and the first year of the current biennium.

d. The Governor shall report any such authorized and unauthorized deficits to the Chairmen of the House Appropriations and Senate Finance Committees within five calendar days of deficit approval. By August 15 of each year, the Governor shall provide a comprehensive report to the Chairmen of the House Appropriations and Senate Finance Committees detailing all such deficits.

#### § 4-3.02 TREASURY LOANS

a. **AUTHORIZED DEFICIT LOANS:** A state agency requesting authorization for deficit spending shall prepare a plan for the Governor's review and approval, specifying appropriate financial, administrative and management actions necessary to eliminate the deficit and to prevent future deficits. If the Governor approves the plan and authorizes a state agency to incur a deficit under the provisions of this section, the amount authorized shall be obtained by the agency by borrowing the authorized amount on such terms and from such sources as may be approved by the Governor. At the close of business on the last day of the current biennium, any unexpended balance of such loan shall be applied toward repayment of the loan, unless such action is contrary to the conditions of the loan approval. The Director, Department of Planning and Budget, shall set forth in the next biennial budget all such loans which require an appropriation for repayment. A copy of the approved plan to eliminate the deficit shall be transmitted to the Chairmen of the House Appropriations and the Senate Finance Committees within five calendar days of approval.

b. **ANTICIPATION LOANS:** Authorization for anticipation loans are limited to the provisions below.

1.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount of the anticipated collections of such revenues and shall be repaid only from such revenues when collected.

b) When the payment of authorized obligations for capital expenses is required prior to the collection of nongeneral fund revenues or proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans in anticipation of bond proceeds shall not exceed the amount of the anticipated proceeds from debt authorized by the General Assembly and shall be repaid only from such proceeds when collected.

2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed twelve months.

3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.

4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium.

5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from authorized debt and have anticipation loans.

6. Unless otherwise prohibited by federal or state law, the State Treasurer shall charge current market interest rates on anticipation loans made for operating purposes and capital projects subject to the following:

a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt from interest payments on borrowed balances.

b) Interest payments on anticipation loans for nongeneral fund capital projects or nongeneral fund operating expenses shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or from the proceeds of authorized debt without the approval of the State Treasurer.

c) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

c. ANTICIPATION LOANS FOR PROJECTS NOT INCLUDED IN THIS ACT OR FOR PROJECTS AUTHORIZED UNDER § 4-4.01M: Authorization for anticipation loans for projects not included in this act or for projects authorized under § 4-4.01 m are limited to the provisions below:

1. Such loans are limited to those projects that shall be repaid from revenues derived from nongeneral fund sources.

2.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sum with the prior written approval of the Secretary of Finance or his designee as to the amount, terms, and sources of such funds. Such loans shall not exceed the amount of the anticipated collections of such nongeneral fund revenues and shall be repaid only from such nongeneral fund revenues when collected.

b) When the payment of obligations for capital expenses for projects authorized under § 4-4.01 m is required prior to the collection of nongeneral fund revenues, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

3. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed 12 months.

4. Before an anticipation loan is provided for a capital project authorized under § 4-4.01 m, the agency shall develop a plan for repayment of such loan and approval of the Director of the Department of Planning and Budget shall be obtained for all such plans and reported to the Chairman of the House Appropriations and Senate Finance Committees.

5. Anticipation loans for capital projects authorized under § 4-4.01 m shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

6. The State Treasurer shall charge current market interest rates on anticipation loans made for capital projects authorized under § 4-4.01 m. Interest payments on anticipation loans for nongeneral fund capital projects authorized under § 4-4.01 m shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan without the approval of the Director of the Department of Planning and Budget.

a) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

#### § 4-3.03 LONG-TERM LEASES

##### a. GENERAL:

1. As part of their capital budget submission, all agencies and institutions of the Commonwealth proposing building projects that may qualify as long-term lease agreements, as defined in Generally Accepted Accounting Principles (GAAP), and that may be supported in whole, or in part, from appropriations provided for in this act, shall submit copies of such proposals to the Directors of the Departments of Planning and Budget and General Services, the State Comptroller, and the State Treasurer based on guidelines promulgated by the Secretary of Finance. In addition, the Secretary of Finance may promulgate guidelines for the review and approval of such requests.

2. The proposals shall be submitted in such form as the Secretary of Finance may prescribe. The Comptroller and the Director, Department of General Services shall be responsible for evaluating the proposals to determine if they qualify as long-term lease agreements. The State Treasurer shall be responsible for incorporating existing and authorized long-term lease agreements meeting



the approved parameters into the annual Debt Capacity Advisory Committee reports.

b. APPROVAL OF FINANCINGS:

1. For any project which qualifies as a long-term lease, as defined in the preceding subdivisions a 1 and 2, and which is financed through the issuance of securities, the Treasury Board shall approve the terms and structure of such financing pursuant to § 2.2-2416, Code of Virginia.

2. For any project for which costs will exceed \$5,000,000 and which is financed through a long-term lease transaction, the Treasury Board shall approve the financing terms and structure of such long-term lease in addition to such other reviews and approvals as may be required by law. Prior to consideration by the Treasury Board, the Departments of Accounts shall notify the Treasury Board of any transaction determined to be a long-term lease. Additionally, the Departments of General Services and Planning and Budget shall notify the Treasury Board upon their approval of any transaction which qualifies as a long-term lease under the terms of this section. The State Treasurer shall notify the Chairmen of the House Appropriations and Senate Finance Committees of the action of the Treasury Board as it regards this subdivision within five calendar days of its action.

c. REPORTS: Not later than December 20 of each year, the Secretary of Finance and the Secretary of Administration shall jointly be responsible for providing the Chairmen of the House Appropriations and Senate Finance Committees with recommendations involving proposed long-term lease agreements.

d. This section shall not apply to long-term leases that are funded entirely with nongeneral fund revenues and are entered into by public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly. Furthermore, the Department of General Services is authorized to enter into long-term leases for executive branch agencies provided that the resulting long-term lease is funded entirely with nongeneral funds, is approved based on the requirements of § 4-3.03 b.1 and 2 above, and would not be considered tax supported debt of the Commonwealth.

#### § 4-4.00 CAPITAL PROJECTS

##### § 4-4.01 GENERAL

a. Definition:

1. Unless defined otherwise, when used in this section, "capital project" or "project" means acquisition of property and new construction and improvements related to state-owned property, plant or equipment (including plans therefor), as the terms "acquisition", "new construction", and "improvements" are defined in the instructions for the preparation of the Executive Budget. "Capital project" or "project" shall also mean any improvements to property leased for use by a state agency, and not owned by the state, when such improvements are financed by public funds, except as hereinafter provided in subdivisions 3 and 4 of this subsection.

2. The provisions of this section are applicable equally to acquisition of property and plant by purchase, gift, or any other means, including the acquisition of property through a lease/purchase contract, regardless of the method of financing or the source of funds. Acquisition of property by lease shall be subject to § 4-3.03 of this act.

3. The provisions of this section shall not apply to property or equipment acquired by lease or improvements to leased property and equipment when the improvements are provided by the lessor pursuant to the terms of the lease and upon expiration of the lease remain the property of the lessor.

4. The provisions of this section shall not apply to property leased by state agencies for the purposes described in §§ 2.2-1151 C and 33.2-1010, Code of Virginia.

b. Notwithstanding any other provisions of law, requests for appropriations for capital projects shall be subject to the following:

1. The agency shall submit a capital project proposal for all requested capital projects. Such proposals shall be submitted to the Director, Department of Planning and Budget, for review and approval in accordance with guidelines prescribed by the director. Projects shall be developed to meet agency functional and space requirements within a cost range comparable to similar public and private sector projects.

2. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, financings for capital projects shall comply, where applicable, with the Treasury Board Guidelines issued pursuant to § 2.2-2416, Code of Virginia, and any subsequent amendments thereto.

3. As part of any request for appropriations for an armory, the Department of Military Affairs shall obtain a written commitment from the host locality to share in the operating expense of the armory.

c. Each agency head shall provide annually to the Director, Department of Planning and Budget, a report on the use of the maintenance reserve appropriation of the agency in Part 2 of this act. In the use of its maintenance reserve appropriation, an agency shall give first priority to the repair or replacement of roof on buildings under control of the agency. The agency head

shall certify in the agency's annual maintenance reserve report that to the best of his or her knowledge, all necessary roof repairs have been accomplished or are in the process of being accomplished. Such roof repairs and replacements shall be in accord with the technical requirements of the Commonwealth's Construction and Professional Services Manual.

d. The Department of Planning and Budget shall review its approach to capital outlay planning and budgeting from time to time and make available via electronic means a report of any proposed change to the Chairmen of the House Appropriations and Senate Finance Committees and the public prior to its implementation. Such report shall include an analysis of the impact of the suggested change on affected agencies and institutions.

e. Nothing in §§ 2-0 and 4-4.00 of this act shall be deemed to override the provisions of §§ 2.2-1132 and 62.1-132.6, Code of Virginia, amended by Chapter 488, 1997 Acts of Assembly, relating to Virginia Port Authority capital projects and procurement activities.

f. Legislative Approval: It is the intent of the General Assembly that, with the exceptions noted in this paragraph and paragraph m, all capital projects to be undertaken by agencies of the Commonwealth, including institutions of higher education, shall be pursuant to approvals by the General Assembly as provided in the Six-Year Capital Outlay Plan established pursuant to § 2.2-1515, et seq., Code of Virginia. Otherwise, the consideration of capital projects shall be limited to:

1. Supplementing projects which have been bid and determined to have insufficient funding to be placed under contract, and
2. Projects declared by the Governor or the General Assembly to be of an emergency nature, which may avoid an increase in cost or otherwise result in a measurable benefit to the state, and/or which are required for the continued use of existing facilities.
3. This paragraph does not prohibit the initiation of projects authorized by § 4-4.01 m hereof, or projects included under the central appropriations for capital project expenses in this act.

g. Preliminary Requirements: In regard to each capital project for which appropriation or reappropriation is made pursuant to this act, or which is hereafter considered by the Governor for inclusion in the Executive Budget, or which is offered as a gift or is considered for purchase, the Governor is hereby required: (1) to determine the urgency of its need, as compared with the need for other capital projects as herein authorized, or hereafter considered; (2) to determine whether the proposed plans and specifications for each capital project are suitable and adequate, and whether they involve expenditures which are excessive for the purposes intended; (3) to determine whether labor, materials, and other requirements, if any, needed for the acquisition or construction of such project can and will be obtained at reasonable cost; and (4) to determine whether or not the project conforms to a site or master plan approved by the agency head or board of visitors of an institution of higher education for a program approved by the General Assembly.

h. Initiation Generally:

1. No architectural or engineering planning for, or construction of, or purchase of any capital project shall be commenced or revised without the prior written approval of the Governor or his designee.
2. The requirements of § 10.1-1190, Code of Virginia, shall be met prior to the release of funds for a major state project, provided, however, that the Governor or his designee is authorized to release from any appropriation for a major state project made pursuant to this act such sum or sums as may be necessary to pay for the preparation of the environmental impact report required by § 10.1-1188, Code of Virginia.
3. The Governor, at his discretion, or his designee may release from any capital project appropriation or reappropriation made pursuant to this act such sum (or sums) as may be necessary to pay for the preparation of plans and specifications by architects and engineers, provided that the estimated cost of the construction covered by such drawings and specifications does not exceed the appropriation therefor; provided, further, however, that the architectural and engineering fees paid on completion of the preliminary design for any such project may be based on such estimated costs as may be approved by the Governor in writing, where it is shown to the satisfaction of the Governor that higher costs of labor or material, or both, or other unforeseen conditions, have made the appropriation inadequate for the completion of the project for which the appropriation was made, and where in the judgment of the Governor such changed conditions justify the payment of architectural or engineering fees based on costs exceeding the appropriation.
4. Architectural or engineering contracts shall not be awarded in perpetuity for capital projects at any state institution, agency or activity.

i. Capital Projects Financed with Bonds: Capital projects proposed to be financed with (i) 9 (c) general obligation bonds or (ii) 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the agency or institution, shall be reviewed as follows:

1. By August 15 of each year, requests for inclusion in the Executive Budget of capital projects to be financed with 9(c) general obligation bonds shall be submitted to the State Treasurer for evaluation of financial feasibility. Submission shall be in accordance with the instructions prescribed by the State Treasurer. The State Treasurer shall distribute copies of financial feasibility studies to the Director, Department of Planning and Budget, the Secretary for the submitting agency or institution, the Chairmen of the House

Appropriations and Senate Finance Committees, and the Director, State Council of Higher Education for Virginia, if the project is requested by an institution of higher education.

2. By August 15 of each year, institutions shall also prepare and submit copies of financial feasibility studies to the State Council of Higher Education for Virginia for 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the institution. The State Council of Higher Education for Virginia shall identify the impact of all projects requested by the institutions of higher education, and as described in § 4-4.01 j.1. of this act, on the current and projected cost to students in institutions of higher education and the impact of the project on the institution's need for student financial assistance. The State Council of Higher Education for Virginia shall report such information to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1 of each year.

3. Prior to the issuance of debt for 9(c) general obligation projects, when more than one year has elapsed since the review of financial feasibility specified in § 4-4.01 j 1 above, an updated feasibility study shall be prepared by the agency and reviewed by the State Treasurer prior to requesting the Governor's Opinion of Financial Feasibility required under Article X, Section 9 (c), of the Constitution of Virginia.

j. Transfers to supplement capital projects from nongeneral funds may be made under the conditions set forth in §§ 4-1.03 a, 4-1.04 a.3, and 4-4.01 m of this act.

k.1. Change in Size and Scope: Unless otherwise provided by law, the scope, which is the function or intended use, of any capital project may not be substantively changed, nor its size increased or decreased by more than five percent in size beyond the plans and justification which were the basis for the appropriation or reappropriation in this act or for the Governor's authorization pursuant to § 4-4.01 m of this act. However, this prohibition is not applicable to changes in size and scope required because of circumstances determined by the Governor to be an emergency, or requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. Furthermore, this prohibition shall not apply to minor increases, beyond five percent, in square footage determined by the Director, Department of General Services, to be reasonable and appropriate based on a written justification submitted by the agency stating the reason for the increase, with the provision that such increase will not increase the cost of the project beyond the amount appropriated; nor to decreases in size beyond five percent to offset unbudgeted costs when such costs are determined by the Director, Department of Planning and Budget, to be reasonable based on a written justification submitted by the agency specifying the amount and nature of the unbudgeted costs and the types of actions that will be taken to decrease the size of the project. The written justification shall also include a certification, signed by the agency head, that the resulting project will be consistent with the original programmatic intent of the appropriations.

2. If space planning, energy conservation, and environmental standards guides for any type of construction have been approved by the Governor or the General Assembly, the Governor shall require capital projects to conform to such planning guides.

l. Projects Not Included In This Act:

1. Authorization by Governor:

a) The Governor may authorize initiation of, planning for, construction of or acquisition of a nongeneral fund capital project not specifically included in this act or provided for a program approved by the General Assembly through appropriations, under one or more of the following conditions:

1) The project is required to meet an emergency situation.

2) The project is to be operated as an auxiliary enterprise or sponsored program in an institution of higher education and will be fully funded by revenues of auxiliary enterprises or sponsored programs.

3) The project is to be operated as an educational and general program in an institution of higher education and will be fully funded by nongeneral fund revenues of educational and general programs or from private gifts and indirect cost recoveries.

4) The project consists of plant or property which has become available or has been received as a gift.

5) The project has been recommended for funding by the Tobacco Indemnification and Community Revitalization Commission or the Virginia Tobacco Settlement Foundation.

b) The foregoing conditions are subject to the following criteria:

1) Funds are available within the appropriations made by this act (including those subject to §§ 4-1.03 a, 4-1.04 a.3, and 4-2.03) without adverse effect on other projects or programs, or from unappropriated nongeneral fund revenues or balances.

2) In the Governor's opinion such action may avoid an increase in cost or otherwise result in a measurable benefit to the state.

3) The authorization includes a detailed description of the project, the project need, the total project cost, the estimated operating costs, and the fund sources for the project and its operating costs.

4) The Chairmen of the House Appropriations and Senate Finance Committees shall be notified by the Governor prior to the authorization of any capital project under the provisions of this subsection.

5) Permanent funding for any project initiated under this section shall only be from nongeneral fund sources.

2. Authorization by Director, Department of Planning and Budget:

a) The Director, Department of Planning and Budget, may authorize initiation of a capital project not included in this act, if the General Assembly has enacted legislation to fund the project from bonds of the Virginia Public Building Authority, Virginia College Building Authority, or from reserves created by refunding of bonds issued by those Authorities.

3. Delegated authorization by Boards of Visitors, Public Institutions of Higher Education:

a) In accordance with § 4-5.06 of this act, the board of visitors of any public institution of higher education that: i) has met the eligibility criteria set forth in Chapters 933 and 945 of the 2005 Acts of Assembly for additional operational and administrative autonomy, including having entered into a memorandum of understanding with the Secretary of Administration for delegated authority of nongeneral fund capital outlay projects, and ii) has received a sum sufficient nongeneral fund appropriation for emergency projects as set out in Part 2: Capital Project Expenses of this act, may authorize the initiation of any capital project that is not specifically set forth in this act provided that the project meets at least one of the conditions and criteria identified in § 4-4.01 m 1 of this act.

b) At least 30 days prior to the initiation of a project under this provision, the board of visitors must notify the Governor and Chairmen of the House Appropriations and Senate Finance Committees and must provide a life-cycle budget analysis of the project. Such analysis shall be in a form to be prescribed by the Auditor of Public Accounts.

c) The Commonwealth of Virginia shall have no general fund obligation for the construction, operation, insurance, routine maintenance, or long-term maintenance of any project authorized by the board of visitors of a public institution of higher education in accordance with this provision.

m. Acquisition, maintenance, and operation of buildings and nonbuilding facilities in colleges and universities shall be subject to the following policies:

1. The anticipated program use of the building or nonbuilding facility should determine the funding source for expenditures for acquisition, construction, maintenance, operation, and repairs.

2. For new campuses to be established within the Virginia Community College System, expenditures for land acquisition, site preparation beyond five feet from a building, and the construction of additional outdoor lighting, sidewalks, outdoor athletic and recreational facilities, and parking lots in the Virginia Community College System shall be made only from appropriated federal funds, Trust and Agency funds, including local government allocations or appropriations, or the proceeds of indebtedness authorized by the General Assembly.

3. The general policy of the Commonwealth shall be that parking services are to be operated as an auxiliary enterprise by all colleges and universities. Institutions should develop sufficient reserves for ongoing maintenance and replacement of parking facilities.

4. Except as provided in paragraph 2 above, expenditures for maintenance, replacement, and repair of outdoor lighting, sidewalks, and other infrastructure facilities may be made from any appropriated funds.

5. Expenditures for operations, maintenance, and repair of athletic, recreational, and public service facilities, both indoor and outdoor, should be from nongeneral funds. However, this condition shall not apply to any indoor recreational facility existing on a community college campus as of July 1, 1988.

6.a.1. At institutions of higher education that have met the eligibility criteria for additional operational and administrative authority as set forth in Chapters 933 and 945 of the 2005 Acts of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly, any repair, renovation, or new construction project costing up to \$3,000,000 shall be exempt from the capital outlay review and approval process. For purposes of this paragraph, projects shall not include any subset of a series of projects, which in combination would exceed the \$3,000,000 maximum.

2. All state agencies and institutions of higher education shall be exempt from the capital review and approval process for repair, renovation, or new construction projects costing up to \$3,000,000.

b. Blanket authorizations funded entirely by nongeneral funds may be used for 1) renovation and infrastructure projects costing up to \$3,000,000 and 2) the planning of nongeneral fund new construction and renovation projects through bidding, with bid award made after receipt of a construction authorization. The Director, Department of Planning and Budget, may provide exemptions to the threshold.

7. It is the policy of the Commonwealth that the institutions of higher education shall treat the maintenance of their facilities as a priority for the allocation of resources. No appropriations shall be transferred from the "Operation and Maintenance of Plant" subprogram except for closely and definitely related purposes, as approved by the Director, Department of Planning and Budget, or

his designee. A report providing the rationale for each approved transfer shall be made to the Chairmen of the House Appropriations and Senate Finance Committees.

n. Legislative Intent and Reporting: Appropriations for capital projects shall be deemed to have been made for purposes which require their expenditure, or being placed under contract for expenditure, during the current biennium. Agencies to which such appropriations are made in this act or any other act are required to report progress as specified by the Governor. If, in the opinion of the Governor, these reports do not indicate satisfactory progress, he is authorized to take such actions as in his judgment may be necessary to meet legislative intent as herein defined. Reporting on the progress of capital projects shall be in accordance with § 4-8.00, Reporting Requirements.

o. No expenditure from a general fund appropriation in this act shall be made to expand or enhance a capital outlay project beyond that anticipated when the project was initially approved by the General Assembly except to comply with requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. General fund appropriations in excess of those necessary to complete the project shall not be reallocated to expand or enhance the project, or be reallocated to a different project. The prohibitions in this subsection shall not apply to transfers from projects for which reappropriations have been authorized.

p. Local or private funds to be used for the acquisition, construction or improvement of capital projects for state agency use as owner or lessee shall be deposited into the state treasury for appropriation prior to their expenditure for such projects.

q. State-owned Registered Historic Landmarks: To guarantee that the historical and/or architectural integrity of any state-owned properties listed on the Virginia Landmarks Register and the knowledge to be gained from archaeological sites will not be adversely affected because of inappropriate changes, the heads of those agencies in charge of such properties are directed to submit all plans for significant alterations, remodeling, redecoration, restoration or repairs that may basically alter the appearance of the structure, landscaping, or demolition to the Department of Historic Resources. Such plans shall be reviewed within thirty days and the comments of that department shall be submitted to the Governor through the Department of General Services for use in making a final determination.

r.1. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to the educational or real estate foundation of any institution of higher education where he finds that such property was acquired with local or private funds or by gift or grant to or for the use of the institution, and not with funds appropriated to the institution by the General Assembly. Any approved conveyance shall be exempt from § 2.2-1156, Code of Virginia, and any other statute concerning conveyance, transfer or sale of state property. If the foundation conveys any interest in the property or any improvements thereon, such conveyance shall likewise be exempt from compliance with any statute concerning disposition of state property. Any income or proceeds from the conveyance of any interest in the property shall be deemed to be local or private funds and may be used by the foundation for any foundation purpose.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

s.1. Facility Lease Agreements Involving Institutions of Higher Education: In the case of any lease agreement involving state-owned property controlled by an institution of higher education, where the lease has been entered into consistent with the provisions of § 2.2-1155, Code of Virginia, the Governor may amend, adjust or waive any project review and reporting procedures of Executive agencies as may reasonably be required to promote the property improvement goals for which the lease agreement was developed.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

t. Energy-efficiency Projects: Improvements to state-owned properties for the purpose of energy-efficiency shall be treated as follows:

1. Such improvements shall be considered an operating expense, provided that:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Mines, Minerals and Energy;

d) the total cost does not exceed \$3,000,000; and

e) if the total cost exceeds \$3,000,000, but does not exceed \$7,000,000, the energy savings from the project offset the total cost of the project, including debt service and interest payments.

2. If (a) the total cost of the improvement exceeds \$7,000,000 or (b) the total cost exceeds \$3,000,000, but does not exceed \$7,000,000, and the energy savings from the project do not fully offset the total cost of the project, including debt services and interest payments, the improvement shall be considered a capital expense regardless of the type of improvement and the following conditions must be met:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Mines, Minerals and Energy;

d) the project has been reviewed by the Department of Planning and Budget; and

e) the project has been approved by the Governor.

3. If the total project exceeds \$250,000, the agency director will submit written notification to the Director, Department of Planning and Budget, verifying that the project meets all of the conditions in subparagraph 1 above.

The provisions of §§ 2.0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to energy conservation projects that qualify as capital expenses.

4. As used in this paragraph, "improvement" does not include (a) constructing, enlarging, altering, repairing or demolishing a building or structure, (b) changing the use of a building either within the same use group or to a different use group when the new use requires greater degrees of structural strength, fire protection, exit facilities or sanitary provisions, or (c) removing or disturbing any asbestos-containing materials during demolition, alteration, renovation of or additions to building or structures. If the projected scope of an energy-efficiency project includes any of these elements, it shall be subject to the capital outlay process as set out in this section.

5. The Director, Department of Planning and Budget, shall notify the Chairmen of the House Appropriations and Senate Finance Committees upon the initiation of any energy-efficiency projects under the provisions of this paragraph.

u. No expenditures shall be authorized for the purchase of fee simple title to any real property to be used for a correctional facility or for the actual construction of a correctional facility provided for in this act, or by reference hereto, that involves acquisition or new construction of youth or adult correctional facilities on real property which was not owned by the Commonwealth on January 1, 1995, until the governing body of the county, city or town wherein the project is to be located has adopted a resolution supporting the location of such project within the boundaries of the affected jurisdiction. The foregoing does not prohibit expenditures for site studies, real estate options, correctional facility design and related expenditures.

v. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, any alternative financing agreement entered into between a state agency or institution of higher education and a private entity or affiliated foundation must be reviewed and approved by the Treasury Board.

w. Prior to requesting authorization for new dormitory capital projects, institutions of higher education shall conduct a cost study to determine whether an alternative financing arrangement or public-private transaction would provide a more effective option for the construction of the proposed facility. This study shall be submitted to the Department of Planning and Budget as part of the budget development process and shall be evaluated by the Governor prior to submitting his proposed budget.

x. Construction or improvement projects of the Department of Military Affairs are not exempt from the capital outlay review process when the state procurement process is utilized, except for those projects with both an estimated cost of \$3,000,000 or less and are 100 percent federally reimbursed. The Department of Military Affairs shall submit by July 30 of each year to the Department of Planning and Budget a list of such projects that were funded pursuant to this exemption in the previous fiscal year and any projects that would be eligible for such funding in future fiscal years.

#### § 4-4.02 PLANNING AND BUDGETING

a. It shall be the intent of the General Assembly to make biennial appropriations for a capital improvements program sufficient to address the program needs of the Commonwealth. The capital improvements program shall include maintenance and deferred maintenance of the Commonwealth's existing facilities, and of the facility requirements necessary to deliver the programs of state agencies and institutions.

b. In effecting these policies, the Governor shall establish a capital budget plan to address the renewal and replacement of the Commonwealth's physical plant, using such guidelines as recommended by industry or government to maintain the Commonwealth's investment in its property and plant.

#### § 4-5.00 SPECIAL CONDITIONS AND RESTRICTIONS ON EXPENDITURES

##### § 4-5.01 TRANSACTIONS WITH INDIVIDUALS

a. SETTLEMENT OF CLAIMS: Whenever a dispute, claim or controversy involving the interest of the Commonwealth is settled pursuant to § 2.2-514, Code of Virginia, payment may be made out of any appropriations, designated by the Governor, to the state agency(ies) which is (are) party to the settlement.

b. STUDENT FINANCIAL ASSISTANCE FOR HIGHER EDUCATION:

1. General:

a) The appropriations made in this act to state institutions of higher education within the Items for student financial assistance may be expended for any one, all, or any combination of the following purposes: grants to undergraduate students enrolled at least one-half time in a degree, certificate, industry-based certification and related programs that do not qualify for other sources of student financial assistance or diploma program; grants to full-time graduate students; graduate assistantships: grants to students enrolled full-time in a dual or concurrent undergraduate and graduate program. The institutions may also use these appropriations for the purpose of supporting work study programs. The institution is required to transfer to educational and general appropriations all funds used for work study or to pay graduate assistantships. Institutions may also contribute to federal or private student grant aid programs requiring matching funds by the institution, except for programs requiring work. The State Council of Higher Education for Virginia shall annually review each institution's plan for the expenditures of its general fund appropriation for undergraduate student financial assistance prior to the start of the fall term to determine program compliance. The institution's plan shall include the institution's assumptions and calculations for determining the cost of attendance, student financial need, and student remaining need as well as an award schedule or description of how funds are awarded. For the purposes of the proposed plan, each community college shall be considered independently. No limitations shall be placed on the awarding of nongeneral fund appropriations made in this act to state institutions of higher education within the Items for student financial assistance other than those found previously in this paragraph and as follows: (i) funds derived from in-state student tuition will not subsidize out-of-state students, (ii) students receiving these funds must be making satisfactory academic progress, (iii) awards made to students should be based primarily on financial need, and (iv) institutions should make larger grant and scholarship awards to students taking the number of credit hours necessary to complete a degree in a timely manner.

b) All awards made to undergraduate students from such Items shall be for Virginia students only and such awards shall offset all, or portions of, the costs of tuition and required fees, and, in the case of students qualifying under subdivision b 2 c)1) hereof, the cost of books. All undergraduate financial aid award amounts funded by this appropriation shall be proportionate to the remaining need of individual students, with students with higher levels of remaining need receiving grants before other students. No criteria other than the need of the student shall be used to determine the award amount. Because of the low cost of attendance and recognizing that federal grants provide a much higher portion of cost than at other institutions, a modified approach and minimum award amount for the neediest VGAP student should be implemented for community college and Richard Bland College students based on remaining need and the combination of federal and grant state aid. Student financial need shall be determined by a need-analysis system approved by the Council.

c)1) All need-based awards made to graduate students shall be determined by the use of a need-analysis system approved by the Council.

2) As part of the six-year financial plans required in the provisions of Chapters 933 and 945 of the 2005 Acts of Assembly, each institution of higher education shall report the extent to which tuition and fee revenues are used to support graduate student aid and graduate compensation and how the use of these funds impacts planned increases in student tuition and fees.

d) A student who receives a grant under such Items and who, during a semester, withdraws from the institution which made the award must surrender the unearned portion. The institution shall calculate the unearned portion of the award based on the percentage used for federal Return to Title IV program purposes.

e) An award made under such Items to assist a student in attending an institution's summer session shall be prorated according to the size of comparable awards made in that institution's regular session.

f) The provisions of this act under the heading "Student Financial Assistance for Higher Education" shall not apply to (1) the soil scientist scholarships authorized under § 23.1-615, Code of Virginia and (2) need-based financial aid programs for industry-based certification and related programs that do not qualify for other sources of student financial assistance, which will be subject to guidelines developed by the State Council of Higher Education for Virginia.

g) Unless noted elsewhere in this act, general fund awards shall be named "Commonwealth" grants.

h) Unless otherwise provided by statute, undergraduate awards shall not be made to students seeking a second or additional baccalaureate degree until the financial aid needs of first-degree seeking students are fully met.

2. Grants To Undergraduate Students:

a) Each institution which makes undergraduate grants paid from its appropriation for student financial assistance shall expend such sums as approved for that purpose by the Council.

b) A student receiving an award must be duly admitted and enrolled in a degree, certificate or diploma program at the institution making the award, and shall be making satisfactory academic progress as defined by the institution for the purposes of eligibility under Title IV of the federal Higher Education Act, as amended.

c)1) It is the intent of the General Assembly that students eligible under the Virginia Guaranteed Assistance Program (VGAP) authorized in Title 23.1, Chapter 4.4:2, Code of Virginia, shall receive grants before all other students at the same institution with equivalent remaining need from the appropriations for undergraduate student financial assistance found in Part 1 of this act (service area 1081000 - Scholarships). In each instance, VGAP eligible students shall receive awards greater than other students with equivalent remaining need.

2) The amount of each VGAP grant shall vary according to each student's remaining need and the total of tuition, all required fees and the cost of books at the institution the student will attend upon acceptance for admission. The actual amount of the VGAP award will be determined by the proportionate award schedule adopted by each institution; however, those students with the greatest financial need shall be guaranteed an award at least equal to tuition.

3) It is the intent of the General Assembly that the Virginia Guaranteed Assistance Program serve as an incentive to financially needy students now attending elementary and secondary school in Virginia to raise their expectations and their academic performance and to consider higher education an achievable objective in their futures.

4) Students may not receive a VGAP and a Commonwealth grant in the same semester.

3. Grants To Graduate Students:

a) An individual award may be based on financial need but may, in addition to or instead of, be based on other criteria determined by the institution making the award. The amount of an award shall be determined by the institution making the award; however, the Council shall annually be notified as to the maximum size of a graduate award that is paid from funds in the appropriation.

b) A student receiving a graduate award paid from the appropriation must be duly admitted into a graduate degree program at the institution making the award.

c) Not more than 50 percent of the funds designated by an institution as graduate grants from the appropriation, and approved as such by the Council, shall be awarded to persons not eligible to be classified as Virginia domiciliary resident students except in cases where the persons meet the criteria outlined in § 4-2.01b.6.

4. Matching Funds: Any institution of higher education may, with the approval of the Council, use funds from its appropriation for fellowships and scholarships to provide the institutional contribution to any student financial aid program established by the federal government or private sources which requires the matching of the contribution by institutional funds, except for programs requiring work.

5. Discontinued Loan Program:

a) If any federal student loan program for which the institutional contribution was appropriated by the General Assembly is discontinued, the institutional share of the discontinued loan program shall be repaid to the fund from which the institutional share was derived unless other arrangements for the use of the funds are recommended by the Council and approved by the Department of Planning and Budget. Should the institution be permitted to retain the federal contributions to the program, the funds shall be used according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

b)1) An institution of higher education may discontinue its student loan fund established pursuant to Title 23.1, Chapter 4.01, Code of Virginia. The full amount of cash in such discontinued loan fund shall be paid into the state treasury into a nonrevertible nongeneral fund account. Prior to such payment, the State Comptroller shall verify its accuracy, including the fact that the cash held by the institution in the loan fund will be fully depleted by such payment. The loan fund shall not be reestablished thereafter for that institution.

2) The cash so paid into the state treasury shall be used only for grants to undergraduate and graduate students in the Higher Education Student Financial Assistance program according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

3) Payments on principal and interest of any promissory notes held by the discontinued loan fund shall continue to be received by the institution, which shall deposit such payments in the state treasury to the nonrevertible nongeneral fund account specified in subdivision (1) preceding, to be used for grants as specified in subdivision (2) preceding.



6. Reporting: The Council shall collect student-specific information for undergraduate students as is necessary for the operation of the Student Financial Assistance Program. The Council shall maintain regulations governing the operation of the Student Financial Assistance Program based on the provisions outlined in this section, the Code of Virginia, and State Council policy.

C. PAYMENTS TO CITIZEN MEMBERS OF NONLEGISLATIVE BODIES:

Notwithstanding any other provision of law, executive branch agencies shall not pay compensation to citizen members of boards, commissions, authorities, councils, or other bodies from any fund for the performance of such members' duties in the work of the board, commission, authority, council, or other body.

d. VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM

Notwithstanding any other provision of law, the Virginia Birth-Related Neurological Injury Compensation Program is authorized to require each admitted claimant's parent or legal guardian to purchase private health insurance (the "primary payer") to provide coverage for the actual medically necessary and reasonable expenses as described in Virginia Code § 38.2-5009(A)(1) that were, or are, incurred as a result of the admitted claimant's birth-related neurological injury and for the admitted claimant's benefit. Provided, however, that the Program shall reimburse, upon receipt of proof of payment, solely the portion of the premiums that is attributable to the admitted claimant's post-admission coverage from the effective date of this provision forward and paid for by the admitted claimant's parent or legal guardian.

§ 4-5.02 THIRD PARTY TRANSACTIONS

a. EMPLOYMENT OF ATTORNEYS:

1.a) All attorneys authorized by this act to be employed by any state agency and all attorneys compensated out of any moneys appropriated in this session of the General Assembly shall be appointed by the Attorney General and be in all respects subject to the provisions of Title 2.2, Chapter 5, Code of Virginia, to the extent not to conflict with Title 12.1, Chapter 4, Code of Virginia; provided, however, that if the Governor certifies the need for independent legal counsel for any Executive Department agency, such agency shall be free to act independently of the Office of the Attorney General in regard to selection, and provided, further, that compensation of such independent legal counsel shall be paid from the moneys appropriated to such Executive Department agency or from the moneys appropriated to the Office of the Attorney General.

b) For purposes of this act, "attorney" shall be defined as an employee or contractor who represents an agency before a court, board or agency of the Commonwealth of Virginia or political subdivision thereof. This term shall not include members of the bar employed by an agency who perform in a capacity that does not require a license to practice law, including but not limited to, instructing, managing, supervising or performing normal or customary duties of that agency.

2. This section does not apply to attorneys employed by state agencies in the Legislative Department, Judicial Department or Independent Agencies.

3. Reporting on employment of attorneys shall be in accordance with § 4-8.00, Reporting Requirements.

4. Notwithstanding § 2.2-510.1 of the Code of Virginia and any other conflicting provision of law, the Virginia Retirement System may enter into agreements to seek i) recovery of investment losses in foreign jurisdictions, and ii) legal advice related to its investments. Any such agreements shall be reported to the Office of the Attorney General as soon as practicable.

b. STUDIES AND CONSULTATIVE SERVICES REQUIRED BY GENERAL ASSEMBLY: No expenditure for payments on third party nongovernmental contracts for studies or consultative services shall be made out of any appropriation to the General Assembly or to any study group created by the General Assembly, nor shall any such expenditure for third party nongovernmental contracts be made by any Executive Department agency in response to a legislative request for a study, without the prior approval of two of the following persons: the Chairman of the House Appropriations Committee; the Chairman of the Senate Finance Committee; the Speaker of the House of Delegates; the President pro tempore of the Senate. All such expenditures shall be made only in accordance with the terms of a written contract approved as to form by the Attorney General.

c. USE OF CONSULTING SERVICES: All state agencies and institutions of higher education shall make a determination of "return on investment" as part of the criteria for awarding contracts for consulting services.

d. DEBT COLLECTION SERVICES:

1. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Virginia Commonwealth University Health System Authority shall have the option to participate in the Office of the Attorney General's debt collection process. Should the Authority choose not to participate, the Authority shall have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and discharge accounts receivable claims.

2. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the University of Virginia Medical Center

shall have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and discharge accounts receivable claims, provided that the University of Virginia demonstrates to the Secretary of Finance that debt collection by an agent other than the Office of the Attorney General is anticipated to be more cost effective. Nothing in this paragraph is intended to limit the ability of the University of Virginia Medical Center from voluntarily contracting with the Office of the Attorney General's Division of Debt Collection in cases where the Center would benefit from the expertise of legal counsel and collection services offered by the Office of the Attorney General.

3. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Department of Taxation shall be exempt from participating in the debt collection process of the Office of the Attorney General.

#### § 4-5.03 SERVICES AND CLIENTS

##### a. CHANGED COST FACTORS:

1.a) No state agency, or its governing body, shall alter factors (e.g., qualification level for receipt of payment or service) which may increase the number of eligible recipients for its authorized services or payments, or alter factors which may increase the unit cost of benefit payments within its authorized services, unless the General Assembly has made an appropriation for the cost of such change.

b) The limits on altering or changing cost factors stated in paragraph 1.a) above shall not apply to changes associated with implementing and/or altering services in response to COVID-19 when funding is provided from a nongeneral fund source dedicated to addressing the impact of COVID-19 or from any source when specifically approved by the Governor in response to the COVID-19 pandemic.

2. Notwithstanding any other provision of law, the Department of Planning and Budget, with assistance from agencies that operate internal service funds as requested, shall establish policies and procedures for annually reviewing and approving internal service fund overhead surcharge rates and working capital reserves.

3. By September 1 each year, state agencies that operate an internal service fund, pursuant to §§ 2.2-803, 2.2-1101, and 2.2-2013, Code of Virginia, that have an impact on agency expenditures, shall submit a report to the Department of Planning and Budget and the Joint Legislative Audit and Review Commission to include all information as required by the Department of Planning and Budget to conduct a thorough review of overhead surcharge rates, revenues, expenditures, full-time positions, and working capital reserves for each internal service fund. The report shall include any proposed modifications in rates to be charged by internal service funds for review and approval by the Department of Planning and Budget. In its review, the Department of Planning and Budget shall determine whether the requested rate modifications are consistent with budget assumptions. The format by which agencies submit the operating plan for each internal service fund shall be determined by the Department of Planning and Budget with assistance from agencies that operate internal service funds as requested.

4. State agencies that operate internal service funds may not change a billable overhead surcharge rate to another state agency unless the resulting change is provided in the final General Assembly enacted budget.

5. State agencies that operate more than one internal service fund shall comply with the review and approval requirements detailed in this Item for each internal service fund.

6. As determined by the Director, Department of Planning and Budget, state agencies that operate select programs where an agency provides a service to and bills other agencies shall be subject to the annual review of the agency's internal service funds consistent with the provisions of this Item, unless such payment for services is pursuant to a memorandum of understanding authorized by § 4-1.03 a. 7 of this act.

7. The Governor is authorized to change internal service fund overhead surcharge rates, including the creation of new rates, beyond the rates enacted in the budget in the event of an emergency or to implement actions approved by the General Assembly, upon prior notice to the Chairmen of the House Appropriations and Senate Finance Committees. Such prior notice shall be no less than five days prior to enactment of a revised or new rate and shall include the basis of the rate change and the impact on state agencies.

8. Notwithstanding any other provision of law, the Commonwealth's statewide electronic procurement system and program known as eVA shall have all rates and working capital reserves reviewed and approved by the Department of Planning and Budget consistent with the provisions of this Item.

9. State agencies that are partially or fully funded with nongeneral funds and are billed for services provided by another state agency shall pay the nongeneral fund cost for the service from the agency's applicable nongeneral fund revenue source consistent with an appropriation proration of such expenses.

##### b. NEW SERVICES:

1.a) No state agency shall begin any new service that will call for future additional property, plant or equipment or that will require an increase in subsequent general or nongeneral fund operating expenses without first obtaining the authorization of the General Assembly.

b) The limits on establishing new services stated in paragraph 1.a) above shall not apply to new services established to respond to COVID-19 when funding is provided from a nongeneral fund source dedicated to addressing the impact of COVID-19 or from any source when specifically approved by the Governor in response to the COVID-19 pandemic.

2. Pursuant to the policies and procedures of the State Council of Higher Education regarding approval of academic programs and the concomitant enrollment, no state institution of higher education shall operate any academic program with funds in this act unless approved by the Council and included in the Executive Budget, or approved by the General Assembly. The Council may grant exemptions to this policy in exceptional circumstances.

3. a) The General Assembly is supportive of the increasing commitment by both Virginia Tech and the Carilion Clinic to the success of the programs at the Virginia Tech/Carilion School of Medicine and the Virginia Tech/Carilion Research Institute, and encourages these two institutions to pursue further developments in their partnership. Therefore, notwithstanding § 4-5.03 c. of the Appropriation Act, if through the efforts of these institutions to further strengthen the partnership, Virginia Tech acquires the Virginia Tech Carilion School of Medicine during the current biennium, the General Assembly approves the creation and establishment of the Virginia Tech/Carilion School of Medicine within the institution notwithstanding § 23.1-203 Code of Virginia. No additional funds are required to implement establishment of the Virginia Tech/Carilion School of Medicine within the institution.

b) Virginia Tech Carilion School of Medicine is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to the teaching hospital affiliated with the Virginia Tech Carilion School of Medicine. These Medicaid supplemental fee-for-service and/or capitation payments to managed care organizations are for the purpose of securing access to Medicaid hospital services in Western Virginia. The funds to be transferred must comply with 42 CFR 433.51.

4. Reporting on all new services shall be in accordance with § 4-8.00, Reporting Requirements.

c. OFF-CAMPUS SITES OF INSTITUTIONS OF HIGHER EDUCATION:

No moneys appropriated by this act shall be used for off-campus sites unless as provided for in this section.

1. A public college or university seeking to create, establish, or operate an off-campus instructional site, funded directly or indirectly from the general fund or with revenue from tuition and mandatory educational and general fees generated from credit course offerings, shall first refer the matter to the State Council of Higher Education for Virginia for its consideration and approval. The State Council of Higher Education for Virginia may provide institutions with conditional approval to operate the site for up to one year, after which time the college or university must receive approval from the Governor and General Assembly, through legislation or appropriation, to continue operating the site.

2. For the colleges of the Virginia Community College System, the State Board for Community Colleges shall be responsible for approving off-campus locations. Sites governed by this requirement are those at any locations not contiguous to the main campus of the institution, including locations outside Virginia.

3. a) The provisions herein shall not apply to credit offerings on the site of a public or private entity if the offerings are supported entirely with private, local, or federal funds or revenue from tuition and mandatory educational and general fees generated entirely by course offerings at the site.

b) Offerings at previously approved off-campus locations shall also not be subject to these provisions.

c) Further, the provisions herein do not govern the establishment and operations of campus sites with a primary function of carrying out grant and contract research where direct and indirect costs from such research are covered through external funding sources. Such locations may offer limited graduate education as appropriate to support the research mission of the site.

d) Nothing herein shall prohibit an institution from offering non-credit continuing education programs at sites away from the main campus of a college or university.

4. The State Council of Higher Education shall establish guidelines to implement this provision.

d. PERFORMANCE MEASUREMENT

1. In accordance with § 2.2-1501, Code of Virginia, the Department of Planning and Budget shall develop a programmatic budget and accounting structure for all new programs and activities to ensure that it provides the appropriate financial and performance measures to determine if programs achieve desired results and outcomes. The Department of Accounts shall provide assistance as requested by the Department of Planning and Budget. The Department of Planning and Budget shall provide this information each year when the Governor submits the budget in accordance with § 2.2-1509, Code of Virginia, to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.

2.a) Within thirty days of the enactment of this act, the Director, Department of Planning and Budget, shall make available via electronic means to the Chairmen of the House Appropriations and Senate Finance Committees and the public a list of the new

initiatives for which appropriations are provided in this act.

b) Not later than ninety days after the end of the first year of the biennium, the Director, Department of Planning and Budget, shall make available via electronic means a report on the performance of each new initiative contained in the list, to be submitted to the Chairmen of the House Appropriations and Senate Finance Committees and the public. The report shall compare the actual results, including expenditures, of the initiative with the anticipated results and the appropriation for the initiative. This information shall be used to determine whether the initiative should be extended beyond the beginning period. In the preparation of this report, all state agencies shall provide assistance as requested by the Department of Planning and Budget.

#### § 4-5.04 GOODS AND SERVICES

##### a. STUDENT ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION:

1. Public Information Encouraged: Each public institution of higher education is expected and encouraged to provide prospective students with accurate and objective information about its programs and services. The institution may use public funds under the control of the institution's Board of Visitors for the development, preparation and dissemination of factual information about the following subjects: academic programs; special programs for minorities; dates, times and procedures for registration; dates and times of course offerings; admission requirements; financial aid; tuition and fee schedules; and other information normally distributed through the college catalog. This information may be presented in any and all media, such as newspapers, magazines, television or radio where the information may be in the form of news, public service announcements or advertisements. Other forms of acceptable presentation would include brochures, pamphlets, posters, notices, bulletins, official catalogs, flyers available at public places and formal or informal meetings with prospective students.

2. Excessive Promotion Prohibited: Each public institution of higher education is prohibited from using public funds under the control of the institution's Board of Visitors for the development, preparation, dissemination or presentation of any material intended or designed to induce students to attend by exaggerating or extolling the institution's virtues, faculty, students, facilities or programs through the use of hyperbole. Artwork and photographs which exaggerate or extol rather than supplement or complement permissible information are prohibited. Mass mailings are generally prohibited; however, either mass mailings or newspaper inserts, but not both, may be used if other methods of distributing permissible information are not economically feasible in the institution's local service area.

3. Remedial Education: Senior institutions of higher education shall make arrangements with community colleges for the remediation of students accepted for admission by the senior institutions.

4. Compliance: The president or chancellor of each institution of higher education is responsible for the institution's compliance with this subsection.

##### b. INFORMATION TECHNOLOGY FACILITIES AND SERVICES:

1.a) The Virginia Information Technologies Agency shall procure information technology and telecommunications goods and services of every description for its own benefit or on behalf of other state executive branch agencies and institutions, or authorize other state executive branch agencies or institutions to undertake such procurements on their own. "Executive branch agency" means the same as that term is defined in § 2.2-2006.

b) Except for research projects, research initiatives, or instructional programs at public institutions of higher education, or any non-major information technology project request from the Virginia Community College System, Longwood University, or from an institution of higher education which is a member of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) as of July 1, 2003, or any procurement of information technology and telecommunications goods and services by public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, requests for authorization from state agencies and institutions to procure information technology and telecommunications goods and services on their own behalf shall be made in writing to the Chief Information Officer or his designee. Members of VASCUPP as of July 1, 2003, are hereby recognized as: The College of William and Mary, George Mason University, James Madison University, Old Dominion University, Radford University, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State University, and the University of Virginia.

c) The Chief Information Officer or his designee may grant the authorization upon a written determination that the request conforms to the statewide information technology plan and the individual information technology plan of the requesting agency or institution.

d) Any procurement authorized by the Chief Information Officer or his designee for information technology and telecommunications goods and services, including geographic information systems, shall be issued by the requesting state agency or institution in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

e) Nothing in this subsection shall prevent public institutions of higher education or the Virginia Community College System from using the services of Network Virginia.

f) To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical research network infrastructure including the National LambdaRail and Internet2, the Network Virginia Contract Administrator is hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as required, to establish and maintain research network infrastructure.

2. If the billing rates and associated systems for computer, telecommunications and systems development services to state agencies are altered, the Director, Department of Planning and Budget, may transfer appropriations from the general fund between programs affected. These transfers are limited to actions needed to adjust for overfunding or underfunding the program appropriations affected by the altered billing systems.

3. The provisions of this subsection shall not in any way affect the duties and responsibilities of the State Comptroller under the provisions of § 2.2-803, Code of Virginia.

4. It is the intent of the General Assembly that information technology (IT) systems, products, data, and service costs, including geographic information systems (GIS), be contained through the shared use of existing or planned equipment, data, or services which may be available or soon made available for use by state agencies, institutions, authorities, and other public bodies. State agencies, institutions, and authorities shall cooperate with the Virginia Information Technologies Agency in identifying the development and operational requirements for proposed IT and GIS systems, products, data, and services, including the proposed use, functionality, capacity and the total cost of acquisition, operation and maintenance.

5. This section shall not apply to public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, or to the Virginia Alcoholic Beverage Control Authority.

6. Notwithstanding any other provision of law, state agencies that do not receive computer services from the Virginia Information Technologies Agency may develop their own policies and procedures governing the sale of surplus computers and laptops to their employees or officials. Any proceeds from the sale of surplus computers or laptops shall be deposited into the appropriate fund or funds used to purchase the equipment.

c. MOTOR VEHICLES AND AIRCRAFT:

1. No motor vehicles shall be purchased or leased with public funds by the state or any officer or employee on behalf of the state without the prior written approval of the Director, Department of General Services.

2. The institutions of higher education and the Alcoholic Beverage Control Authority shall be exempt from this provision but shall be required to report their entire inventory of purchased and leased vehicles including the cost of such to the Director of the Department of General Services by June 30 of each year. The Director of the Department of General Services shall compare the cost of vehicles acquired by institutions of higher education and the Authority to like vehicles under the state contract. If the comparison demonstrates for a given institution or the Authority that the cost to the Commonwealth is greater for like vehicles than would be the case based on a contract of statewide applicability, the Governor or his designee may suspend the exemption granted to the institution or the Authority pursuant to this subparagraph c.

3. The Director, Department of General Services, is hereby authorized to transfer surplus motor vehicles among the state agencies, and determine the value of such surplus equipment for the purpose of maintaining the financial accounts of the state agencies affected by such transfers.

d. MOTION PICTURE, TELEVISION AND RADIO SERVICES PRODUCTION: Except for public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, no state Executive Department agency or the Virginia Lottery Department shall expend any public funds for the production of motion picture films or of programs for television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of the Governor or as otherwise provided in this act, except for educational television programs produced for elementary-secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on Rules is authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent agencies, other than the Virginia Lottery Department, prior approval action rests with the supervisory bodies of these entities. With respect to television programs which are so approved and other programs which are otherwise authorized or are not produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive negotiation, for program production and transmission services which are performed by public telecommunications entities, as defined in § 2.2-2006, Code of Virginia.

e. TRAVEL: Reimbursement for the cost of travel on official business of the state government is authorized to be paid pursuant to law and regulations issued by the State Comptroller to implement such law. Notwithstanding any contrary provisions of law:

1. For the use of personal automobiles in the discharge of official duties outside the continental limits of the United States, the State Comptroller may authorize an allowance not exceeding the actual cost of operation of such automobiles;

2. The first 15,000 miles of use during each fiscal year of personal automobiles in the discharge of official duties within the continental limits of the United States shall be reimbursed at an amount equal to the most recent business standard mileage rate as established by the Internal Revenue Service for employees or self-employed individuals to use in computing their income tax deductible costs for operating passenger vehicles owned or leased by them for business purposes, or in the instance of a state employee, at the lesser of (a) the IRS rate or (b) the lowest combined capital and operational trip pool rate charged by the Department of General Services, Office of Fleet Management Services (OFMS), posted on the OFMS website at time of travel, for the use of a compact state-owned vehicle. If the head of the state agency concerned certifies that a state-owned vehicle was not available, or if, according to regulations issued by the State Comptroller, the use of a personal automobile in lieu of a state-owned automobile is considered to be an advantage to the state, the reimbursement shall be at the rate of the IRS rate. For such use in excess of 15,000 miles in each fiscal year, the reimbursement shall be at a rate of 13.0 cents per mile, unless a state-owned vehicle is not available; then the rate shall be the IRS rate;

3. The State Comptroller may authorize exemptions to restrictions upon use of common carrier accommodations;

4. The State Comptroller may authorize reimbursement by per diem in lieu of actual costs of meals and any other expense category deemed necessary for the efficient and effective operation of state government;

5. State employees traveling on official business of state government shall be reimbursed for their travel costs using the same bank account authorized by the employee in which their net pay is direct deposited; and

6. This section shall not apply to members and employees of public school boards.

f. **SMALL PURCHASE CHARGE CARD, ELECTRONIC DATA INTERCHANGE, DIRECT DEPOSIT, AND PAYLINE OPT OUT:** The State Comptroller is hereby authorized to charge state agencies a fee of \$5 per check or earnings notice when, in his judgment, agencies have failed to comply with the Commonwealth's electronic commerce initiatives to reduce unnecessary administrative costs for the printing and mailing of state checks and earning notices. The fee shall be collected by the Department of Accounts through accounting entries.

g. **PURCHASES OF APPLIANCES AND EQUIPMENT:** State agencies and institutions shall purchase Energy Star rated appliances and equipment in all cases where such appliances and equipment are available.

h. **ELECTRONIC PAYMENTS:** Any recipient of payments from the State Treasury who receives six or more payments per year issued by the State Treasurer shall receive such payments electronically. The State Treasurer shall decide the appropriate method of electronic payment and, through his warrant issuance authority, the State Comptroller shall enforce the provisions of this section. The State Comptroller is authorized to grant administrative relief to this requirement when circumstances justify non-electronic payment.

i. **LOCAL AND NON-STATE SAVINGS AND EFFICIENCIES:** It is the intent of the General Assembly that State agencies shall encourage and assist local governments, school divisions, and other non-state governmental entities in their efforts to achieve cost savings and efficiencies in the provision of mandated functions and services including but not limited to finance, procurement, social services programs, and facilities management.

j. **TELECOMMUNICATION SERVICES AND DEVICES:**

1. The Chief Information Officer and the State Comptroller shall develop statewide requirements for the use of cellular telephones and other telecommunication devices by in-scope Executive Department agencies, addressing the assignment, evaluation of need, safeguarding, monitoring, and usage of these telecommunication devices. The requirements shall include an acceptable use agreement template clearly defining an employee's responsibility when they receive and use a telecommunication device. Statewide requirements shall require some form of identification on a device in case it is lost or stolen and procedures to wipe the device clean of all sensitive information when it is no longer in use.

2. In-scope Executive Department agencies providing employees with telecommunication devices shall develop agency-specific policies, incorporating the guidance provided in § 4-5.04 k. 1. of this act and shall maintain a cost justification for the assignment or a public health, welfare and safety need.

3. The Chief Information Officer shall determine the optimal number of telecommunication vendors and plans necessary to meet the needs of in-scope Executive Department agency personnel. The Chief Information Officer shall regularly procure these services and provide statewide contracts for use by all such agencies. These contracts shall require the vendors to provide detailed usage information in a useable electronic format to enable the in-scope agencies to properly monitor usage to make informed purchasing decisions and minimize costs.

4. The Chief Information Officer shall examine the feasibility of providing tools for in-scope Executive Department agencies to analyze usage and cost data to assist in determining the most cost effective plan combinations for the entity as a whole and individual users.

k. **ALTERNATIVE PROCUREMENT:** If any payment is declared unconstitutional for any reason or if the Attorney General finds in a formal, written, legal opinion that a payment is unconstitutional, in circumstances where a good or service can constitutionally

be the subject of a purchase, the administering agency of such payment is authorized to use the affected appropriation to procure, by means of the Commonwealth's Procurement Act, goods and services, which are similar to those sought by such payment in order to accomplish the original legislative intent.

l. MEDICAL SERVICES: No expenditures from general or nongeneral fund sources may be made out of any appropriation by the General Assembly for providing abortion services, except otherwise as required by federal law or state statute.

m. In an effort to expand cooperative procurement efforts, all public institutions of higher education in the Commonwealth of Virginia may access the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) contracts regardless of their level of purchasing delegated authority, non-VASCUPP institutions shall amend terms and conditions of VASCUPP contracts to incorporate Virginia Public Procurement Act, and Commonwealth of Virginia Agency Procurement and Surplus Property Manual.

#### § 4-5.05 NONSTATE AGENCIES, INTERSTATE COMPACTS AND ORGANIZATIONAL MEMBERSHIPS

a. The accounts of any agency, however titled, which receives funds from this or any other appropriating act, and is not owned or controlled by the Commonwealth of Virginia, shall be subject to audit or shall present an audit acceptable to the Auditor of Public Accounts when so directed by the Governor or the Joint Legislative Audit and Review Commission.

b.1. For purposes of this subsection, the definition of "nonstate agency" is that contained in § 2.2-1505, Code of Virginia.

2. Allotment of appropriations to nonstate agencies shall be subject to the following criteria:

a) Such agency is located in and operates in Virginia.

b) The agency must be open to the public or otherwise engaged in activity of public interest, with expenditures having actually been incurred for its operation.

3. No allotment of appropriations shall be made to a nonstate agency until such agency has certified to the Secretary of Finance that cash or in-kind contributions are on hand and available to match equally all or any part of an appropriation which may be provided by the General Assembly, unless the organization is specifically exempted from this requirement by language in this act. Such matching funds shall not have been previously used to meet the match requirement in any prior appropriation act.

4. Operating appropriations for nonstate agencies equal to or in excess of \$150,000 shall be disbursed to nonstate agencies in twelve or fewer equal monthly installments depending on when the first payment is made within the fiscal year. Operating appropriations for nonstate agencies of less than \$150,000 shall be disbursed in one payment once the nonstate agency has successfully met applicable match and application requirements.

5. The provisions of § 2.2-4343 A 14, Code of Virginia shall apply to any expenditure of state appropriations by a nonstate agency.

c.1. Each interstate compact commission and each organization in which the Commonwealth of Virginia or a state agency thereof holds membership, and the dues for which are provided in this act or any other appropriating act, shall submit its biennial budget request to the state agency under which such commission or organization is listed in this act. The state agency shall include the request of such commission or organization within its own request, but identified separately. Requests by the commission or organization for disbursements from appropriations shall be submitted to the designated state agency.

2. Each state agency shall submit by November 1 each year, a report to the Director, Department of Planning and Budget, listing the name and purpose for organizational memberships held by that agency with annual dues of \$5,000 or more. The institutions of higher education shall be exempt from this reporting requirement.

#### § 4-5.06 DELEGATION OF AUTHORITY

a. The designation in this act of an officer or agency head to perform a specified duty shall not be deemed to supersede the authority of the Governor to delegate powers under the provisions of § 2.2-104, Code of Virginia.

b. The nongeneral fund capital outlay decentralization programs initiated pursuant to § 4-5.08b of Chapter 912, 1996 Acts of Assembly as continued in subsequent appropriation acts are hereby made permanent. Decentralization programs for which institutions have executed memoranda of understanding with the Secretary of Administration pursuant to the provisions of § 4-5.08b of Chapter 912, 1996 Acts of Assembly shall no longer be considered pilot projects, and shall remain in effect until revoked.

c. Institutions wishing to participate in a nongeneral fund capital outlay decentralization program for the first time shall submit a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if appropriate, establish a decentralization program at the institution. The Cabinet Secretary shall report to the Governor and Chairmen of the Senate Finance and House Appropriations Committees by December 1 of each year all institutions that have applied for inclusion in a decentralization program and whether the institutions have been granted authority to participate in the

decentralization program.

d. The provisions identified in § 4-5.08 f and § 4-5.08 h of Chapter 1042 of the Acts of Assembly of 2003 pertaining to pilot programs for selected capital outlay projects and memoranda of understanding in institutions of higher education are hereby continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability program.

e. If during an independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this information to the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and House Appropriations Committees.

f. Institutions that have executed memoranda of understanding with the Secretary of Administration for nongeneral fund capital outlay decentralization programs are hereby granted a waiver from the provisions of § 2.2-4301, Competitive Negotiation, subdivision 3a, Code of Virginia, regarding the not to exceed amount of \$100,000 for a single project, the not to exceed sum of \$500,000 for all projects performed, and the option to renew for two additional one-year terms.

g. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

h. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly.

#### § 4-5.07 LEASE, LICENSE OR USE AGREEMENTS

a. Agencies shall not acquire or occupy real property through lease, license or use agreement until the agency certifies to the Director, Department of General Services, that (i) funds are available within the agency's appropriations made by this act for the cost of the lease, license or use agreement and (ii) except for good cause as determined by the Department of General Services, the volume of such space conforms with the space planning procedures for leased facilities developed by the Department of General Services and approved by the Governor. The Department of General Services shall acquire and hold such space for use by state departments, agencies and institutions within the Executive Branch and may utilize brokerage services, portfolio management strategies, strategic planning, transaction management, project and construction management, and lease administration strategies consistent with industry best practices as adopted by the Department from time to time. These provisions may be waived in writing by the Director, Department of General Services. However, these provisions shall not apply to institutions of higher education that have met the conditions prescribed in subsection B of § 23.1-1006, Code of Virginia.

b. Agencies acquiring personal property in accordance with § 2.2-2417, Code of Virginia, shall certify to the State Treasurer that funds are available within the agency's appropriations made by this act for the cost of the lease.

c. The Governor is authorized to enter into a Memorandum of Understanding with the United States Department of Agriculture, United States Forest Service ("USFS"), in a form approved by the Office of the Attorney General, regarding a template for use by any agency of the Commonwealth of Virginia (the "Commonwealth") of USFS land by lease, license, or permit. The template may allocate liability, including indemnification, for the use of USFS land between the USFS and the Commonwealth, which liability shall be secured by, and at the discretion of, the Division of Risk Management, Department of the Treasury, pursuant to the provisions of Virginia Code §2.2-1837(A)(2), through either 1) the Virginia Risk Management Liability Plan ("the Plan"), or 2) a separate insurance policy procured by the Division of Risk Management, the cost of which shall be charged to the agencies using USFS lands.

#### § 4-5.08 SEMICONDUCTOR MANUFACTURING PERFORMANCE GRANT PROGRAMS

a. The Comptroller shall not draw any warrants to issue checks for semiconductor manufacturing performance grant programs, pursuant to Title 59.1, Chapter 22.3, Code of Virginia, without a specific legislative appropriation. The appropriation shall be in accordance with the terms and conditions set forth in a memorandum of understanding between a qualified manufacturer and the Commonwealth. These terms and conditions shall supplement the provisions of the Semiconductor Manufacturing Performance Grant Program, the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program, and the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program II, as applicable, and shall include but not be limited to the numbers and types of semiconductor wafers that are produced; the level of investment directly related to the building and equipment for manufacturing of wafers or activities ancillary to or supportive of such manufacturer within the eligible locality; and the direct employment related to these programs. To that end, the Secretary of Commerce and Trade shall certify in writing to the Governor and to the Chairmen of the House Appropriations and Senate Finance Committees the extent to which a qualified manufacturer met the terms and conditions. The appropriation shall be made in full or in proportion to a qualified manufacturer's fulfillment of the memorandum of understanding.

b. The Governor shall consult with the House Appropriations and Senate Finance Committees before amending any existing memorandum of understanding. These Committees shall have the opportunity to review any changes prior to their execution by the Commonwealth.

#### § 4-5.09 DISPOSITION OF SURPLUS REAL PROPERTY



a. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the departments, divisions, institutions, or agencies of the Commonwealth, or the Governor, shall sell or lease surplus real property only under the following circumstances:

1. Any emergency declared in accordance with §§ 44-146.18:2 or § 44-146.28, Code of Virginia, or
2. Not less than thirty days after the Governor notifies, in writing, the Chairmen of the House Appropriations and Senate Finance Committees regarding the planned conveyance, including a statement of the proceeds to be derived from such conveyance and the individual or entity taking title to such property.
3. Surplus property valued at less than \$5,000,000 that is possessed and controlled by a public institution of higher education, pursuant to §§ 2.2-1149 and 2.2-1153, Code of Virginia.

b. In any circumstance provided for in subsection a of this section, the cognizant board or governing body of the agency or institution holding title or otherwise controlling the state-owned property shall approve, in writing, the proposed conveyance of the property.

c. In accordance with § 15.2-2005, Code of Virginia, the consent of the General Assembly is herein provided for the road known as Standpipe Road, that was relocated and established on a portion of the Virginia Department of Transportation's Culpeper District Office property, identified as Tax Map No. 50-28, to improve the operational efficiency of the local road network in the Town of Culpeper. Further, the Virginia Department of Transportation is hereby authorized to convey to the Town of Culpeper, upon such terms and conditions as the Department deems proper and for such considerations the Department may determine, the property on which "Standpipe Road (Relocated)(Variable Width R/W)" on the plat entitled "plat Showing Property and Various Easements for Standpipe Road Relocated, Tax Map 50-28, Town of Culpeper, Culpeper County, Virginia" prepared by ATCS P.L.C and sealed March 14, 2012, together with easements to the Town of Culpeper for electric utility, slopes and drainage as shown on said plat. The conveyance shall be made with the approval of the Governor and in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

d. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, if tax-exempt bonds were issued by the Commonwealth or its related authorities, boards or institutions to finance the acquisition, construction, improvement or equipping of real property, proceeds from the sale or disposition of such property and any improvements may first be applied toward remediation options available under federal law to maintain the tax-exempt status of such bonds.

#### § 4-5.10 SURPLUS PROPERTY TRANSFERS FOR ECONOMIC DEVELOPMENT

a. The Commonwealth shall receive the fair market value of surplus state property which is designated by the Governor for economic development purposes, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, which shall be assessed by more than one independent appraiser certified as a Licensed General Appraiser. Such property shall not be disposed of for less than its fair market value as determined by the assessments.

b. Recognizing the commercial, business and industrial development potential of certain lands declared surplus, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, the Governor shall be authorized to utilize funds available in the Governor's discretion, to meet the requirements of the preceding subsection a. Sale proceeds, together with the money from the Commonwealth's Development Opportunity Fund, shall be deposited as provided in § 2.2-1156 D, Code of Virginia.

c. Within thirty days of closing on the sale of surplus property designated for economic development, the Governor or his designee shall report to the Chairmen of the Senate Finance and House Appropriations Committees. The report shall include information on the number of acres sold, sales price, amount of proceeds deposited to the general fund and Conservation Resources Fund, and the fair market value of the sold property.

d. Except for subaqueous lands that have been filled prior to January 1, 2006, the Governor shall not sell or convey those subaqueous lands identified by metes and bounds in Chapter 884 of the Acts of the Assembly of 2006.

e. Notwithstanding any provision of law to the contrary, the Commonwealth of Virginia shall begin the process to convey, as is and pursuant to § 2.2-1150, approximately 432 acres of land located within County of York, Virginia, known as Tax Parcel 12-00-00-003 (the Property) to the Eastern Virginia Regional Industrial Facility Authority, or any of its members, subsidiaries or affiliates (hereinafter referred to Authority) for an amount not to exceed \$1,350,000. The Commonwealth of Virginia shall provide to the Authority copies of the two most recent state appraisals for 150-200 acres for the parcel, and in no case shall the transaction price per acre exceed the average of the two most recent state appraisals. The Authority shall have the right to waive the appraisal requirement. The Authority shall reimburse the Commonwealth of Virginia, at property closing, for the appraisals and other Commonwealth of Virginia costs to prepare and execute the conveyance documents. The conveyance of the Property should occur no later than December 31, 2021, but may occur earlier if requested by the Authority. The Authority and its designees shall have the right to enter the Property and to perform due diligence and design studies and activities prior to the conveyance. The Authority shall have the right to file applications and related documents seeking land, zoning and use

entitlements, and the Commonwealth is authorized to execute such documents as may be required for such purposes, but without incurring obligations on the Commonwealth by such execution.

1. The Authority is authorized to convey the property rights for portions of the Property conveyed by the Commonwealth in paragraph e., to one or more operators of one or more utility scale solar facilities, or to lease the property rights to such an operator or operators, for an amount as agreed by the Authority and such operator(s).

2. Any remaining Property at the site shall be subject to a deed restriction created in the Commonwealth of Virginia and Authority property sale described herein to restrict the use of such property by the Authority to any non-residential use, as determined by the Authority.

#### § 4-5.11 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

a. 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.

b. All property controlled by the Department of General Services shall require a permit for use by persons, organizations, or groups for events. Such events are eligible for a permit when the use will not interfere with or disrupt a function sponsored by the Commonwealth of Virginia government entity in support of an agency's mission. The Department shall prepare and publish on its website the requirements for the submission, processing, review, and disposition of permit applications for events on property controlled by the Department to ensure the health, safety, and welfare of the public; coordinate multiple uses of the property; preserve the rights of individuals to free expression; and to protect the Commonwealth from financial and property losses.

For the purposes of this subsection, an "event" means the assemblage on property controlled by the Department of ten (10) or more persons for any demonstration, rally, march, performance, picketing, speechmaking, holding of vigils, sit-ins, or other activities that involve the communication or expression of views or ideas having the effect, intent, or propensity to draw a crowd or onlookers. An "event" does not include casual use of the property by visitors or tourists.

All existing regulations for the use of property controlled by the Department shall remain in effect unless amended or rescinded. The Virginia Division of Capitol Police and other law enforcement entities having jurisdiction shall enforce the Department's property use requirements.

### § 4-6.00 POSITIONS AND EMPLOYMENT

#### § 4-6.01 EMPLOYEE COMPENSATION

a. The compensation of all kinds and from all sources of each appointee of the Governor and of each officer and employee in the Executive Department who enters the service of the Commonwealth or who is promoted to a vacant position shall be fixed at such rate as shall be approved by the Governor in writing or as is in accordance with rules and regulations established by the Governor. No increase shall be made in such compensation except with the Governor's written approval first obtained or in accordance with the rules and regulations established by the Governor. In all cases where any appointee, officer or employee is employed or promoted to fill a vacancy in a position for which a salary is specified by this act, the Governor may fix the salary of such officer or employee at a lower rate or amount within the respective level than is specified. In those instances where a position is created by an act of the General Assembly but not specified by this act, the Governor may fix the salary of such position in accordance with the provisions of this subsection.

b. Annual salaries of persons appointed to positions by the General Assembly, pursuant to the provisions of §§ 2.2-200 and 2.2-400, Code of Virginia, shall be paid in the amounts shown. However, if an incumbent is reappointed, his or her salary may be as high as his or her prior salary.

	<b>July 1, 2020 to June 9, 2021</b>	<b>June 10, 2021 to June 30, 2022</b>
Chief of Staff	\$183,859	\$193,052
Secretary of Administration	\$176,730	\$185,567
Secretary of Agriculture and	\$180,706	\$189,741

Forestry

Secretary of Commerce and Trade	\$176,730	\$185,567
Secretary of the Commonwealth	\$180,706	\$189,741
Secretary of Education	\$176,730	\$185,567
Secretary of Finance	\$184,887	\$194,131
Secretary of Health and Human Resources	\$176,730	\$185,567
Secretary of Natural Resources	\$176,730	\$185,567
Secretary of Public Safety	\$182,705	\$191,840
Secretary of Transportation	\$176,730	\$185,567
Secretary of Veterans Affairs and Homeland Security	\$180,706	\$189,741

c.1.a) Annual salaries of persons appointed to positions listed in subdivision c 6 hereof shall be paid in the amounts shown for the current biennium, unless changed in accordance with conditions stated in subdivisions c 2 through c 5 hereof.

b) The starting salary of a new appointee shall not exceed the midpoint of the range, except where the midpoint salary is less than a ten percent increase from an appointee's preappointment compensation. In such cases, an appointee's starting salary may be set at a rate which is ten percent higher than the preappointment compensation, provided that the maximum of the range is not exceeded. However, in instances where an appointee's preappointment compensation exceeded the maximum of the respective salary range, then the salary for that appointee may be set at the maximum salary for the respective salary range except if the new hire was employed in a state classified position, then the Governor may exceed the maximum salary for the position and set the salary for the employee at a salary level not to exceed the employee's salary at their prior state position.

c) Nothing in subdivision c 1 shall be interpreted to supersede the provisions of § 4-6.01 e, f, g, h, i, j, k, l, and m of this act.

d) For new appointees to positions listed in § 4-6.01c.6., the Governor is authorized to provide for fringe benefits in addition to those otherwise provided by law, including post retirement health care and other non-salaried benefits provided to similar positions in the public sector.

2.a)1) The Governor may increase or decrease the annual salary for incumbents of positions listed in subdivision c 6 below at a rate of up to 10 percent in any single fiscal year between the minimum and the maximum of the respective salary range in accordance with an assessment of performance and service to the Commonwealth.

2) The governing boards of the independent agencies may increase or decrease the annual salary for incumbents of positions listed in subdivision c.7. below at a rate of up to 10 percent in any fiscal year between the minimum and maximum of the respective salary range, in accordance with an assessment of performance and service to the Commonwealth.

b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are listed in §§ 1-1 through 1-9, and 4-6.01 b, c, and d of this act, based on an annual assessment of performance, in accordance with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over and above the salaries listed in this act, and shall not become part of the base rate of pay.

2) The appointing or governing authority shall report performance bonuses which are granted to executive branch employees to the Department of Human Resource Management for retention in its records.

3. From the effective date of the Executive Pay Plan set forth in Chapter 601, Acts of Assembly of 1981, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.

4. Notwithstanding § 4-6.01.c.2.b)1) of this Act, the Board of Commissioners of the Virginia Port Authority may supplement the salary of its Executive Director, with the prior approval of the Governor. The Board should be guided by criteria which

provide a reasonable limit on the total additional income of the Executive Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

5.a. With the written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, the Science Museum of Virginia, the Virginia Museum of Natural History, Gunston Hall, and the Library Board may supplement the salary of the Director of each museum, and the Librarian of Virginia from nonstate funds. In approving a supplement, the Governor should be guided by criteria which provide a reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of other states. The respective Boards shall report approved supplements to the Department of Human Resource Management for retention in its records.

b) The Board of Trustees of the Jamestown-Yorktown Foundation may supplement, using nonstate funds, the salary of the Executive Director of the Foundation. In approving the supplement the Board should be guided by criteria which provides a reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable Foundations in other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

6.a) The following salaries shall be paid for the current biennium in the amounts shown, however, all salary changes shall be subject to subdivisions c 2 through c 5 above.

	<b>July 1, 2020 to June 9, 2021</b>	<b>June 10, 2021 to June 30, 2022</b>
<b>Level I Range</b>	<b>\$169,179- \$241,463</b>	<b>\$177,638 - \$253,536</b>
<b>Midpoint</b>	<b>\$205,321</b>	<b>\$215,587</b>
Chief Information Officer, Virginia Information Technologies Agency	\$198,844	\$208,786
Commissioner, Department of Motor Vehicles	\$173,321	\$181,987
Commissioner, Department of Social Services	\$214,748	\$225,485
Commissioner, Department of Behavioral Health and Developmental Services	\$241,463	\$253,536
Commonwealth Transportation Commissioner	\$218,509	\$229,434
Director, Department of Corrections	\$193,367	\$203,035
Director, Department of Environmental Quality	\$199,815	\$209,806
Director, Department of Medical Assistance Services	\$212,578	\$223,207
Director, Department of Planning and Budget	\$181,441	\$190,513
State Health Commissioner	\$236,390	\$248,210
State Tax Commissioner	\$172,986	\$181,635
Superintendent of Public Instruction	\$241,463	\$253,536

Superintendent of State Police	\$194,054	\$203,757
	<b>July 1, 2020</b>	<b>June 10, 2021</b>
	<b>to</b>	<b>to</b>
	<b>June 9, 2021</b>	<b>June 30, 2022</b>
<b>Level II Range</b>	<b>\$117,474 - \$189,111</b>	<b>\$123,348 - \$198,567</b>
<b>Midpoint</b>	<b>\$153,293</b>	<b>\$160,958</b>
Commissioner, Department for Aging and Rehabilitative Services	\$163,786	\$171,975
Commissioner, Department of Agriculture and Consumer Services	\$169,538	\$178,015
Commissioner, Department of Veterans Services	\$154,529	\$162,255
Commissioner, Virginia Employment Commission	\$169,863	\$178,356
Executive Director, Department of Game and Inland Fisheries	\$148,385	\$155,804
Commissioner, Marine Resources Commission	\$145,905	\$153,200
Director, Department of Forensic Science	\$176,048	\$184,850
Director, Department of General Services	\$175,678	\$184,462
Director, Department of Human Resource Management	\$170,525	\$179,051
Director, Department of Juvenile Justice	\$165,110	\$173,366
Director, Department of Mines, Minerals and Energy	\$154,204	\$161,914
Director, Department of Rail and Public Transportation	\$160,048	\$168,050
Director, Department of Small Business and Supplier Diversity	\$146,525	\$153,851
Executive Director, Motor Vehicle Dealer Board	\$120,117	\$126,123
Executive Director, Virginia Port Authority	\$148,454	\$155,877

State Comptroller	\$181,303	\$190,368
State Treasurer	\$181,158	\$190,216
Executive Director, Board of Accountancy	\$148,988	\$156,437
Chief Executive Officer, Virginia Alcoholic Beverage Control Authority	\$189,111	\$198,567

<b>July 1, 2020</b>	<b>June 10, 2021</b>
<b>to</b>	<b>to</b>
<b>June 9, 2021</b>	<b>June 30, 2022</b>

<b>Level III Range</b>	<b>\$119,014 - \$161,360</b>	<b>\$124,965 - \$169,428</b>
<b>Midpoint</b>	<b>\$140,187</b>	<b>\$147,196</b>
Adjutant General	\$146,681	\$154,015
Chairman, Virginia Parole Board	\$137,957	\$144,855
Vice Chairman, Virginia Parole Board	\$121,394	\$127,464
Member, Virginia Parole Board	\$119,014	\$124,965
Commissioner, Department of Labor and Industry	\$146,715	\$154,051
Coordinator, Department of Emergency Management	\$156,395	\$164,215
Director, Department of Aviation	\$154,125	\$161,831
Director, Department of Conservation and Recreation	\$159,249	\$167,211
Director, Department of Criminal Justice Services	\$131,349	\$137,916
Director, Department of Health Professions	\$142,002	\$149,102
Director, Department of Historic Resources	\$130,000	\$136,500
Director, Department of Housing and Community Development	\$144,246	\$151,458
Director, Department of Professional and Occupational Regulation	\$136,818	\$143,659
Director, The Science Museum of Virginia	\$145,824	\$153,115

Director, Virginia Museum of Fine Arts	\$151,620	\$159,201
Director, Virginia Museum of Natural History	\$124,477	\$130,701
Executive Director, Jamestown-Yorktown Foundation	\$148,019	\$155,420
Executive Secretary, Virginia Racing Commission	\$130,938	\$137,485
Librarian of Virginia	\$161,360	\$169,428
State Forester, Department of Forestry	\$152,232	\$159,844
	<b>July 1, 2020 to June 9, 2021</b>	<b>June 10, 2021 June 30, 2022</b>
<b>Level IV Range</b>	<b>\$95,120 - \$124,386</b>	<b>\$99,876 - \$130,605</b>
<b>Midpoint</b>	<b>\$109,753</b>	<b>\$115,241</b>
Administrator, Commonwealth's Attorneys' Services Council	\$113,215	\$118,876
Commissioner, Virginia Department for the Blind and Vision Impaired	\$124,386	\$130,605
Executive Director, Frontier Culture Museum of Virginia	\$111,125	\$116,681
Commissioner, Department of Elections	\$116,619	\$122,450
Executive Director, Virginia-Israel Advisory Board	\$100,695	\$105,730
Director, Gunston Hall	\$95,120	\$99,876
	<b>July 1, 2020 to June 9, 2021</b>	<b>June 10, 2021 June 30, 2022</b>
<b>Level V Range</b>	<b>\$24,162 - \$103,566</b>	<b>\$25,370 - \$108,744</b>
<b>Midpoint</b>	<b>\$63,864</b>	<b>\$67,057</b>
Director, Virginia Department for the Deaf and Hard-of-Hearing	\$103,566	\$108,744
Executive Director, Department of Fire Programs	\$101,288	\$106,352

Executive Director, Virginia Commission for the Arts	\$101,288	\$106,352
Chairman, Compensation Board	\$24,162	\$25,370

7. Annual salaries of the directors of the independent agencies, as listed in this subdivision, shall be paid in the amounts shown. All salary changes shall be subject to subdivisions c 1, c 2, and c 3 above.

	<b>July 1, 2020 to June 9, 2021</b>	<b>June 10, 2021 to June 30, 2022</b>
<b>Independent Range</b>	<b>\$176,683 - \$192,643</b>	<b>\$185,517 - \$202,275</b>
<b>Midpoint</b>	<b>\$184,663</b>	<b>\$193,896</b>
Executive Director, Virginia Lottery	\$176,683	\$185,517
Director, Virginia Retirement System	\$190,982	\$200,531
Chief Executive Officer, Virginia College Savings Plan	\$192,643	\$202,275

8. Notwithstanding any provision of this Act, the Board of Trustees of the Virginia Retirement System may supplement the salary of its Director. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable public pension plans. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

9. Notwithstanding any provision of this Act, the Board of the Virginia College Savings Plan may supplement the compensation of its Chief Executive Officer. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Chief Executive Officer. The criteria should include, without limitation, a consideration of compensation paid to similar officials in comparable qualified tuition programs, independent public agencies or other entities with similar responsibilities and size. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

10. Notwithstanding any provision of this act, the Board of the Virginia Alcoholic Beverage Control Authority may supplement the salary of its Chief Executive Officer in accordance with § 4.1-101.02. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Chief Executive Officer. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable independent agencies. The Board shall report such criteria and potential supplement level to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its record.

d.1. Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the Chancellor of the University of Virginia's College at Wise, the Superintendent of the Virginia Military Institute, the Director of the State Council of Higher Education, the Director of the Southern Virginia Higher Education Center, the Director of the Southwest Virginia Higher Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be paid in the amounts shown. The annual salaries of the presidents of the community colleges shall be fixed by the State Board for Community Colleges within a salary structure submitted to the Governor prior to June 1 each year for approval.

2.a) The board of visitors of each institution of higher education or the boards of directors for Southern Virginia Higher Education Center, Southwest Virginia Higher Education Center, and the New College Institute may annually supplement the salary of a president or director from private gifts, endowment funds, foundation funds, or income from endowments and gifts. Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of visitors or board of directors should be guided by criteria which provide a reasonable limit on the total additional income of a president or director. The criteria should include a consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The board of visitors or board of directors shall report approved



supplements to the Department of Human Resource Management for retention in its records.

b) The State Board for Community Colleges may annually supplement the salary of the Chancellor from any available appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community Colleges should be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The criteria should include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

c) Norfolk State University is authorized to supplement the salary of its president from educational and general funds up to \$17,000.

d) Should a vacancy occur for the Director of the State Council of Higher Education on or after the date of enactment of this act, the salary for the new director shall be established by the State Council of Higher Education based on the salary range for Level I agency heads. Furthermore, the state council may provide a bonus of up to five percent of the annual salary for the new director.

	<b>July 1, 2020</b>	<b>June 10, 2021</b>
	<b>to</b>	<b>to</b>
	<b>June , 9 2021</b>	<b>June 30, 2022</b>
<b>NEW COLLEGE INSTITUTE</b>		
Executive Director, New College Institute	\$148,332	\$155,749
<b>STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA</b>		
Director, State Council of Higher Education for Virginia	\$204,965	\$215,213
<b>SOUTHERN VIRGINIA HIGHER EDUCATION CENTER</b>		
Director, Southern Virginia Higher Education Center	\$137,966	\$144,864
<b>SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER</b>		
Director, Southwest Virginia Higher Education Center	\$137,582	\$144,461
<b>VIRGINIA COMMUNITY COLLEGE SYSTEM</b>		
Chancellor of Community Colleges	\$185,953	\$195,251
<b>SENIOR COLLEGE PRESIDENTS' SALARIES</b>		
Chancellor, University of Virginia's College at Wise	\$130,716	\$137,252
President, Christopher Newport University	\$146,528	\$153,854
President, The College of William and Mary in Virginia	\$173,144	\$181,801
President, George Mason University	\$161,712	\$169,798

President, James Madison University	\$173,292	\$181,957
President, Longwood University	\$158,089	\$165,993
President, Norfolk State University	\$188,510	\$197,936
President, Old Dominion University	\$178,510	\$187,435
President, Radford University	\$167,050	\$175,403
President, Richard Bland College	\$142,606	\$149,763
President, University of Mary Washington	\$155,568	\$163,346
President, University of Virginia	\$192,656	\$202,289
President, Virginia Commonwealth University	\$186,383	\$195,702
President, Virginia Polytechnic Institute and State University	\$203,718	\$213,904
President, Virginia State University	\$153,607	\$161,287
Superintendent, Virginia Military Institute	\$159,042	\$166,994

e. 1. Salaries for newly employed or promoted employees shall be established consistent with the compensation and classification plans established by the Governor.

2. The State Comptroller is hereby authorized to require payment of wages or salaries to state employees by direct deposit or by credit to a prepaid debit card or card account from which the employee is able to withdraw or transfer funds.

f. The provisions of this section, requiring prior written approval of the Governor relative to compensation, shall apply also to any system of incentive award payments which may be adopted and implemented by the Governor. The cost of implementing any such system shall be paid from any funds appropriated to the affected agencies.

g. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of salary schedules to be fixed under law by the Governor payable from the lump sum appropriation.

h. Subject to approval by the Governor of a plan for a statewide employee meritorious service awards program, as provided for in § 2.2-1201, Code of Virginia, the costs for such awards shall be paid from any operating funds appropriated to the affected agencies.

i. The General Assembly hereby affirms and ratifies the Governor's existing authority and the established practice of this body to provide for pay differentials or to supplement base rates of pay for employees in specific job classifications in particular geographic and/or functional areas where, in the Governor's discretion, they are needed for the purpose of maintaining salaries which enable the Commonwealth to maintain a competitive position in the relevant labor market.

j.1. If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c 6 of this act. Further, such institution may provide compensation in addition to that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

2. If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c 6 shall be paid from the Council's appropriation.

k.1.a. Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in

the compensation and classification plans approved by the Governor shall be effective beginning with the first pay period, defined as the pay period from June 25 through July 9, of the fiscal year if: (1) the agency certifies to the Secretary of Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a plan for covering the costs next biennium and the Secretary concurs, or (2) such funds are appropriated by the General Assembly. If at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the remainder of the biennium within the agency's appropriation, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in accordance with § 4-8.00, Reporting Requirements.

b. Notwithstanding any other provision of law, state employees will be paid on the first workday of July for the work period June 10 to June 24 in any calendar year in which July 1 falls on a weekend.

2. Salary adjustments for any employee through a promotion, role change, exceptional recruitment and retention incentive options, or in-range adjustment shall occur only if: a) the agency has sufficient funds within its appropriation to cover the cost of the salary adjustment for the remainder of the current biennium or b) such funds are appropriated by the General Assembly.

3. No changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported from the general fund.

1. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are appointed to a state-level board, council, commission or similar collegial body shall not receive any such compensation for their services as members or chairmen except for reimbursement of reasonable and necessary expenses. The foregoing provision shall likewise apply to the Compensation Board, pursuant to § 15.2-1636.5, Code of Virginia.

m.1. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of higher education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early retirement incentive plans for their respective institutions pursuant to § 23.1-1302 B and the cash payment offered under such compensation plans pursuant to § 23.1-1302 D, Code of Virginia. Notwithstanding the limitations in § 23.1-1302 D, the total cost in any fiscal year for any such compensation plan, shall be set forth by the governing body in the compensation plan for approval by the Governor and review for legal sufficiency by the Office of the Attorney General.

2. Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall be considered for medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time, 12-month classified positions.

n. Notwithstanding the Department of Human Resource Management Policies and Procedures, payment to employees with five or more years of continuous service who either terminate or retire from service shall be paid in one sum for twenty-five percent of their sick leave balance, provided, however, that the total amount paid for sick leave shall not exceed \$5,000 and the remaining seventy-five percent of their sick leave shall lapse. This provision shall not apply to employees who are covered by the Virginia Sickness and Disability Program as defined in § 51.1-1100, Code of Virginia. Such employees shall not be paid for their sick leave balances. However, they will be paid, if eligible as described above, for any disability leave credits they have at separation or retirement or may convert disability credits to service credit under the Virginia Retirement System pursuant to § 51.1-1103 (F), Code of Virginia.

o. It is the intent of the General Assembly that calculation of the faculty salary benchmark goal for the Virginia Community College System shall be done in a manner consistent with that used for four-year institutions, taking into consideration the number of faculty at each of the community colleges. In addition, calculation of the salary target shall reflect an eight percent salary differential in a manner consistent with other public four-year institutions and for faculty at Northern Virginia Community College.

p. Any public institution of higher education that has met the eligibility criteria set out in Chapters 933 and 945 of the 2005 Acts of Assembly may supplement annual salaries for classified employees from private gifts, endowment funds, or income from endowments and gifts, subject to policies approved by the board of visitors. The Commonwealth shall have no general fund obligations for the continuation of such salary supplements.

q. The Governor, or any other appropriate Board or Public Body, is authorized to adjust the salaries of employees specified in this item, and other items in the Act, to reflect the compensation adjustments authorized in this Act.

r. Any public institution of higher education shall not provide general fund monies above \$100,000 for any individual athletic coaching salaries after July 1, 2013. Athletic coaching salaries with general fund monies above this amount shall be phased-down over a five-year period at 20 percent per year until reaching the cap of \$100,000.

Subject to uniform rules and regulations established by the Governor, the head of any state agency may authorize, from any funds appropriated to such department, institution or other agency in this act or subsequently made available for the purpose, compensation or expenses or both compensation and expenses for employees pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in the state service. The rules and regulations shall include reasonable provision for the return of any employee receiving such benefits for a reasonable period of duty, or for reimbursement to the state for expenditures incurred on behalf of the employee should he not return to state service.

#### § 4-6.03 EMPLOYEE BENEFITS

a. Any medical/hospitalization benefit program provided for state employees shall include the following provision: any state employee, as defined in § 2.2-2818, Code of Virginia, shall have the option to accept or reject coverage.

b. Except as provided for sworn personnel of the Department of State Police, no payment of, or reimbursement for, the employer paid contribution to the State Police Officers' Retirement System, or any system offering like benefits, shall be made by the Compensation Board of the Commonwealth at a rate greater than the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System. Any cost for benefits exceeding such general rate shall be borne by the employee or, in the case of a political subdivision, by the employer.

c. Each agency may, within the funds appropriated by this act, implement a transit and ridesharing incentive program for its employees. With such programs, agencies may reimburse employees for all or a portion of the costs incurred from using public transit, car pools, or van pools. The Secretary of Transportation shall develop guidelines for the implementation of such programs and any agency program must be developed in accordance with such guidelines. The guidelines shall be in accordance with the federal National Energy Policy Act of 1992 (P.L. 102-486), and no program shall provide an incentive that exceeds the actual costs incurred by the employee.

d. Any hospital that serves as the primary medical facility for state employees may be allowed to participate in the State Employee Health Insurance Program pursuant to § 2.2-2818, Code of Virginia, provided that (1) such hospital is not a participating provider in the network, contracted by the Department of Human Resource Management, that serves state employees and (2) such hospital enters into a written agreement with the Department of Human Resource Management as to the rates of reimbursement. The department shall accept the lowest rates offered by the hospital from among the rates charged by the hospital to (1) its largest purchaser of care, (2) any state or federal public program, or (3) any special rate developed by the hospital for the state employee health benefits program which is lower than either of the rates above. If the department and the hospital cannot come to an agreement, the department shall reimburse the hospital at the rates contained in its final offer to the hospital until the dispute is resolved. Any dispute shall be resolved through arbitration or through the procedures established by the Administrative Process Act, as the hospital may decide, without impairment of any residual right to judicial review.

e. Any classified employee of the Commonwealth and any person similarly employed in the legislative, judicial and independent agencies who (i) is compensated on a salaried basis and (ii) works at least twenty hours per week shall be considered a full-time employee for the purposes of participation in the Virginia Retirement System's group life insurance and retirement programs. Any part-time magistrate hired prior to July 1, 1999, shall have the option of participating in the programs under this provision.

f.1. Any member of the Virginia Retirement System who is retired under the provisions of § 51.1-155.1, Code of Virginia who: 1) returns to work in a position that is covered by the provisions of § 51.1-155.1, Code of Virginia after a break of not less than four years, 2) receives no other compensation for service to a public employer than that provided for the position covered by § 51.1-155.1, Code of Virginia during such period of reemployment, 3) retires within one year of commencing such period of reemployment, and 4) retires directly from service at the end of such period of reemployment may either:

a) Revert to the previous retirement benefit received under the provisions of § 51.1-155.1, Code of Virginia, including any annual cost of living adjustments granted thereon. This benefit may be adjusted upward to reflect the effect of such additional months of service and compensation received during the period of reemployment, or

b) Retire under the provisions of Title 51.1 in effect at the termination of his or her period of reemployment, including any purchase of service that may be eligible for purchase under the provisions of § 51.1-142.2, Code of Virginia.

2. The Virginia Retirement System shall establish procedures for verification by the employer of eligibility for the benefits provided for in this paragraph.

g. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a member of the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The provisions of this paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

h. Full-time employees appointed by the Governor who, except for meeting the minimum service requirements, would be eligible for the provisions of § 51.1-155.1, Code of Virginia, may, upon termination of service, use any severance allowance payment to purchase service to meet, but not exceed, the minimum service requirements of § 51.1-155.1, Code of Virginia. Such service purchase shall be at the rate of 15 percent of the employee's final creditable compensation or average final compensation, whichever is greater, and shall be completed within 90 days of separation of service.

i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers' Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed forces of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is higher, when calculating average compensation, and

2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces of the United States in the calculation of creditable service.

j. The provisions in § 51.1-144, Code of Virginia, that require a member to contribute five percent of his creditable compensation for each pay period for which he receives compensation on a salary reduction basis, shall not apply to any (i) "state employee," as defined in § 51.1-124.3, Code of Virginia, who is an elected official, or (ii) member of the Judicial Retirement System under Chapter 3 of Title 51.1 (§ 51.1-300 et seq.), who is not a "person who becomes a member on or after July 1, 2010," as defined in § 51.1-124.3, Code of Virginia.

k. Notwithstanding the provisions of subsection G of § 51.1-156, any employee of a school division who completed a period of 24 months of leave of absence without pay during October 2013 and who had previously submitted an application for disability retirement to VRS in 2011 may submit an application for disability retirement under the provisions of § 51.1-156. Such application shall be received by the Virginia Retirement System no later than October 1, 2014. This provision shall not be construed to grant relief in any case for which a court of competent jurisdiction has already rendered a decision, as contemplated by Article II, Section 14 of the Constitution of Virginia.

#### § 4-6.04 CHARGES

a. **FOOD SERVICES:** Except as exempted by the prior written approval of the Director, Department of Human Resource Management, and the provisions of § 2.2-3605, Code of Virginia, state employees shall be charged for meals served in state facilities. Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and the cost of direct labor and utilities incidental to preparation and service. Each agency shall maintain records as to the calculation of meal charges and revenues collected. Except where appropriations for operation of the food service are from nongeneral funds, all revenues received from such charges shall be paid directly and promptly into the general fund. The provisions of this paragraph shall not apply to on-duty employees assigned to correctional facilities operated by the Departments of Corrections and Juvenile Justice.

b. **HOUSING SERVICES:**

1. Each agency will collect a fee from state employees who occupy state-owned or leased housing, subject to guidelines provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for state-owned or leased housing and for documenting in writing why the rate established was selected. In exceptional circumstances, which shall be documented as being in the best interest of the Commonwealth by the agency requesting an exception, the Director, Department of General Services may waive the requirement for collection of fees.

2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating expenses or rent are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund. For housing for which operating expenses or rent are financed by nongeneral fund appropriations, such revenues shall be deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses or rent are financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid into the general fund.

c. **PARKING SERVICES:**

1. **State-owned parking facilities**

Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor, for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned. -

2. **Leased parking facilities in metropolitan Richmond area**

Agencies occupying private sector leased or rental space in the metropolitan Richmond area, not including institutions of higher education, shall be required to charge a fee to employees for vehicle parking spaces that are assigned to them or are otherwise available either incidental to the lease or rental agreement or pursuant to a separate lease agreement for private parking space. In such cases, the individual employee parking fee shall not be less than that paid by employees parking in Department of

General Services parking facilities at the Seat of Government. The Director, Department of General Services may amend or waive the fee requirement for good cause. Revenues derived from employees paying for parking spaces in leased facilities will be retained by the leasing agency to be used to offset the cost of the lease to which it pertains. Any lease for private parking space must be approved by the Director, Department of General Services.

3. The assignment of Lot P1A of the Department of General Services, Capitol Area Site Plan, to include parking spaces 1 through 37, but excluding spaces 34 and 36, which shall be reserved for the Department of General Services, and the surrounding surfaces around those spaces shall be under the control of the Committee on Joint Rules and administered by the Clerk of the House and the Clerk of the Senate. Any employee permanently assigned to any of these spaces shall be subject to the provisions of paragraph 1 of this item.

4. The assignment of 300 parking spaces in the Department of General Services parking facility to be built at the corner of 9th and Broad Streets in the City of Richmond, shall be under the control of the Committee on Joint Rules and administered by the Clerk of the House and the Clerk of the Senate. Such parking spaces shall be subject to the provisions of paragraph 1 of this item.

#### § 4-6.05 SELECTION OF APPLICANTS FOR CLASSIFIED POSITIONS

It is the responsibility of state agency heads to ensure that all provisions outlined in Title 2.2, Chapter 29, Code of Virginia (the Virginia Personnel Act), and executive orders that govern the practice of selecting applicants for classified positions are strictly observed. The Governor's Secretaries shall ensure this provision is faithfully enforced.

#### § 4-6.06 POSITIONS GOVERNED BY CHAPTERS 933 AND 943 OF THE 2006 ACTS OF ASSEMBLY

Except as provided in subsection A of § 23.1-1020 of the Code of Virginia, § 4-6.00 shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, with regard to their participating covered employees, as that term is defined in those two chapters, except to the extent a specific appropriation or language in this act addresses such an employee.

### § 4-7.00 STATEWIDE PLANS

#### § 4-7.01 MANPOWER CONTROL PROGRAM

a.1. The term Position Level is defined as the number of full-time equivalent (FTE) salaried employees assigned to an agency in this act. Except as provided in § 4-7.01 b, the Position Level number stipulated in an agency's appropriation is the upper limit for agency employment which cannot be exceeded during the fiscal year without approval from the Director, Department of Planning and Budget for Executive Department agencies, approval from the Joint Committee on Rules for Legislative Department agencies or approval from the appropriate governing authority for the independent agencies.

2. Any approval granted under this subsection shall be reported in writing to the Chairmen of the House Appropriations Committee and the Senate Finance Committee, the Governor and the Directors of the Department of Planning and Budget and Department of Human Resource Management within ten days of such approval. Approvals for executive department agencies shall be based on threats to life, safety, health, or property, or compliance with judicial orders or federal mandates, to support federal grants or private donations, to administer a program for another agency or to address an immediate increase in workload or responsibility or when to delay approval of increased positions would result in a curtailment of services prior to the next legislative session. Any such position level increases pursuant to this provision may not be approved for more than one year.

b. The Position Levels stipulated for the individual agencies within the Department of Behavioral Health and Developmental Services and the Department of Corrections are for reference only and are subject to changes by the applicable Department, provided that such changes do not result in exceeding the Position Level for that department.

c.1. The Governor shall implement such policies and procedures as are necessary to ensure that the number of employees in the Executive Department, excluding institutions of higher education and the State Council of Higher Education, may be further restricted to the number required for efficient operation of those programs approved by the General Assembly. Such policies and procedures shall include periodic review and analysis of the staffing requirements of all Executive Department agencies by the Department of Planning and Budget with the object of eliminating through attrition positions not necessary for the efficient operation of programs.

2. The institutions of higher education and the State Council of Higher Education are hereby authorized to fill all positions authorized in this act. This provision shall be waived only upon the Governor's official declaration that a fiscal emergency exists requiring a change in the official estimate of general fund revenues available for appropriation.

d.1. Position Levels are for reference only and are not binding on agencies in the legislative department, independent agencies, the Executive Offices other than the offices of the Governor's Secretaries, and the judicial department.

2. Positions assigned to programs supported by internal service funds are for reference only and may fluctuate depending upon workload and funding availability.

3. Positions assigned to sponsored programs, auxiliary enterprises, continuing education, and teaching hospitals in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 43012, State Health Services Technical Support and Administration, at Virginia Commonwealth University are for reference only and may fluctuate depending upon workload and funding availability.

4. Positions assigned to educational and general programs in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. However, total general fund positions filled by an institution of higher education may not exceed 105 percent of the general fund positions appropriated without prior approval from the Director, Department of Planning and Budget.

5. Positions assigned to Item Details 47001, Job Placement Services; 47002, Unemployment Insurance Services; 47003, Workforce Development Services; and 53402, Economic Information Services, at the Virginia Employment Commission are for reference only and may fluctuate depending upon workload and funding availability. Unless otherwise required by the funding source, after enactment of this act, any new positions hired using this provision shall not be subject to transitional severance benefit provisions of the Workforce Transition Act of 1995, Title 2.2, Chapter 32, Code of Virginia.

e. Prior to implementing any Executive Department hiring freeze, the Governor shall consider the needs of the Commonwealth in regards to the safe and efficient operation of state facilities and performance of essential services to include the exemption of certain positions assigned to agencies and institutions that provide services pertaining to public safety and public health from such hiring freezes.

f.1. Full-time, part-time, wage or contractual state employees assigned to the Governor's Cabinet Secretaries from agencies and institutions under their control for the purpose of carrying out temporary assignments or projects may not be so assigned for a period exceeding 180 days in any calendar year. The permanent transfer of positions from an agency or institution to the Offices of the Secretaries, or the temporary assignment of agency or institutional employees to the Offices of the Secretaries for periods exceeding 180 days in any calendar year regardless of the separate or discrete nature of the projects, is prohibited without the prior approval of the General Assembly.

2. Not more than three positions in total, as described in subsection 1 hereof, may be assigned at any time to the Office of any Cabinet Secretary, unless specifically approved in writing by the Governor. The Governor shall notify the Chairmen of the House Appropriations and Senate Finance Committees in the case of any such approvals.

g. All state employees, including those in the legislative, judicial, and executive branches and the independent agencies of the Commonwealth, who are not eligible for benefits under a health care plan established and administered by the Department of Human Resource Management (DHRM) pursuant to Va. Code § 2.2-2818, or by an agency administering its own health care plan, may not work more than 29 hours per week on average over a twelve month period. Adjunct faculty at institutions of higher education may not work more than 29 hours per week on average over a twelve month period, including classroom or other instructional time plus additional hours determined by the institution as necessary to perform the adjunct faculty's duties. DHRM shall provide relevant program requirements to agencies and employees, including, but not limited to, information on wage, variable and seasonal employees. All state agencies/employers in all branches of government shall provide information requested by DHRM concerning hours worked by employees as needed to comply with the Affordable Care Act (the "Act") and this provision. State agencies/employers are accountable for compliance with this provision, and are responsible for any costs associated with maintaining compliance with it and for any costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. The provisions of this paragraph shall not apply to employees of state teaching hospitals that have their own health insurance plan; however, the state teaching hospitals are accountable for compliance with, and are responsible for any costs associated with maintaining compliance with the Act and for any costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. Subject to approval of the Governor, DHRM shall modify this provision consistent with any updates or changes to federal law and regulations.

#### § 4-8.00 REPORTING REQUIREMENTS

##### § 4-8.01 GOVERNOR

a. General:

1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate Finance Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved for public inspection in the Department of Planning and Budget.

2. The Governor shall make available annually to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees a report concerning the receipt of any nongeneral funds above the amount(s) specifically appropriated, their sources, and the amounts for each agency affected.

3. a) It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be reduced or consolidated where appropriate. State institutions of higher education, working with the Secretary of Education and Workforce, Secretary of Finance, and the Director, Department of Planning and Budget, shall continue to identify specific reporting requirements that the Governor may consider suspending.

b) Reporting generally should be limited to instances where (1) there is a compelling state interest for state agencies to collect, use, and maintain the information collected; (2) substantial risk to the public welfare or safety would result from failing to collect the information; or (3) the information collected is central to an essential state process mandated by the Code of Virginia.

c) Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended or modified as specified below:

Agency	Report Title of Descriptor	Authority	Action	
Department of Accounts	Intercollegiate Athletics Receipts & Disbursements	Code of Virginia § 23.1-102.	Suspend reporting.	
Department of Accounts	Prompt Pay Summary Report	Agency Directive	Change reporting from monthly to quarterly.	
Department of General Services	Usage of State-Assigned and State-Owned Vehicles Report	Agency Directive -- Executive Order 89 (2005)	Suspend reporting.	
Department of General Services	Gas Report/Repair Charge	Agency Directive--Executive Order 89 (2005)	Suspend reporting.	
Department of Human Resource Management	Report of Personnel Development Service	Agency Directive	Suspend reporting.	
Department of Human Resource Management	Human Capital Report (Full-Time, Part-Time, Temporary, Contractual employees funded by the Commonwealth)	Code of Virginia § 2.2-1201. A. 14.	Change reporting from annually to monthly.	
Department of Human Resource Management	State Employee Workers' Compensation Program	Work-related injuries and illnesses report -- goals, strategies, and results	Agency Directive -- Executive Order 94 (2005)	Suspend reporting.
Governor's Office	Small, Women-and Minority-owned Businesses (SWaM)	Executive Directive	Change reporting from weekly to monthly.	
Secretary of Commerce and Trade	Recruitment of National and Regional Conferences Report	Agency Directive -- Executive Order 14 (2006)	Suspend reporting.	

d) The Department of Planning and Budget (DPB) and the State Council of Higher Education for Virginia (SCHEV) shall work jointly to attempt to consolidate various reporting requirements pertaining to the estimates and projections of nongeneral fund revenues in institutions of higher education. The purpose of this effort shall be aimed at developing a common form for use in collecting nongeneral fund data for DPB's six-year nongeneral fund revenue estimate submission and SCHEV's annual survey of nongeneral fund revenue from institutions of higher education.

4.a) Except for the reports required under Item 479.10 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.



b. Operating Appropriations Reports:

1. Status of Adjustments to Appropriations. Such information must include increases and decreases of appropriations or allotments, transfers and additional revenues. A report of appropriation transfers from one agency to another made pursuant to § 4-1.03 of this act shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance Committees, and the public by the tenth day of the month following that in which such transfer occurs, unless otherwise specified in § 4-1.03.

2. Status of each sum sufficient appropriation. The information must include the amount of expenditures for the period just completed and the revised estimates of expenditures for the remaining period of the current biennium, as well as an explanation of differences between the amount of the actual appropriation and actual and/or projected appropriations for each year of the current biennium.

3. Status of Economic Contingency Appropriation. The information must include actions taken related to the appropriation for economic contingency.

4. Status of Withholding Appropriations. The information must include amounts withheld and the agencies affected.

5. Status of reductions occurring in general and nongeneral fund revenues in relation to appropriations.

6. Status of approvals of deficits.

c. Employment Reports:

1. Status of changes in positions and employment of state agencies affected. The information must include the number of positions and the agencies affected.

2. Status of the employment by the Attorney General of special counsel in certain highway proceedings brought pursuant to Chapter 10 of Title 33.2, Code of Virginia, on behalf of the Commissioner of Highways, as authorized by § 2.2-510, Code of Virginia. This report shall include fees for special counsel for the respective county or city for which the expenditure is made and shall be submitted within 60 days of the close of the fiscal year (see § 4-5.02 a.3).

3. Changes in the level of compensation authorized pursuant to § 4-6.01 k, Employee Compensation. Such report shall include a list of the positions changed, the number of employees affected, the source and amount of funds, and the nature of the emergency.

4. Pursuant to requirements of § 2.2-203.1, Code of Virginia, the Secretary of Administration, in cooperation with the Secretary of Technology, shall provide a report describing the Commonwealth's telecommuting policies, which state agencies and localities have adopted telecommuting policies, the number of state employees who telecommute, the frequency with which state employees telecommute by locality, and the efficacy of telecommuting policies in accomplishing the provision of state services and completing state functions. This report shall be provided to the Chairmen of the House Committee on Appropriations, the House Committee on Science and Technology, the Senate Committee on Finance, and the Senate Committee on General Laws and Technology each year by October 1.

d. Capital Appropriations Reports:

1. Status of progress of capital projects on an annual basis (see § 4-4.01 o).

2. Notice of all capital projects authorized under § 4-4.01 m (see § 4-4.01 m. 1. b) 4)).

e. Utilization of State Owned and Leased Real Property:

1. By November 15 of each year, the Department of General Services (DGS) shall consolidate the reporting requirements of § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia into a single report eliminating the individual reports required by § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia. This report shall be submitted to the Governor and the General Assembly and include (i) information on the implementation and effectiveness of the program established pursuant to subsection A of § 2.2-1131.1, (ii) a listing of real property leases that are in effect for the current year, the agency executing the lease, the amount of space leased, the population of each leased facility, and the annual cost of the lease; and, (iii) a report on DGS's findings and recommendations under the provisions of § 2.2-1153, and recommendations for any actions that may be required by the Governor and the General Assembly to identify and dispose of property not being efficiently and effectively utilized.

2. By October 1 of each year, each agency that controls leased property, where such leased property is not under the DGS lease administration program, shall provide a report on each leased facility or portion thereof to DGS in a manner and form prescribed by DGS. Specific data included in the report shall identify at a minimum, the number of square feet occupied, the number of employees and contractors working in the leased space, if applicable, and the cost of the lease.

f. Services Reports:

Status of any exemptions by the State Council of Higher Education to policy which prohibits use of funds in this act for the operation of any academic program by any state institution of higher education, unless approved by the Council and included in the Governor's recommended budget, or approved by the General Assembly (see § 4-5.05 b 2).

g. Standard State Agency Abbreviations:

The Department of Planning and Budget shall be responsible for maintaining a list of standard abbreviations of the names of state agencies. The Department shall make a listing of agency standard abbreviations available via electronic means on a continuous basis to the Chairmen of the House Appropriations and Senate Finance Committees, the State Comptroller, the Director, Department of Human Resource Management and the Chief Information Officer, Virginia Information Technologies Agency, and the public.

h. Educational and General Program Nongeneral Fund Administrative Appropriations Approved by the Department of Planning and Budget:

The Secretary of Finance and Secretary of Education, in collaboration with the Director, Department of Planning and Budget, shall report in December and June of each year to the Chairmen of the House Appropriations and Senate Finance Committees on adjustments made to higher education operating funds in the Educational and General Programs (10000) items for each public college and university contained in this budget. The report shall include actual or projected adjustments which increase nongeneral funds or actual or projected adjustments that transfer nongeneral funds to other items within the institution. The report shall provide the justification for the increase or transfer and the relative impact on student groups.

§ 4-8.02 STATE AGENCIES

a. As received, all state agencies shall forward copies of each federal audit performed on agency or institution programs or activities to the Auditor of Public Accounts and to the State Comptroller. Upon request, all state agencies shall provide copies of all internal audit reports and access to all working papers prepared by such auditors to the Auditor of Public Accounts and to the State Comptroller.

b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, or requests for amendments to the Department of Planning and Budget, the Director, Department of Planning and Budget shall submit, electronically if available, copies to the Chairmen of the Senate Finance and House Appropriations Committees.

c. By September 1 of each year, state agencies receiving any asset as the result of a law-enforcement seizure and subsequent forfeiture by either a state or federal court, shall submit a report identifying all such assets received during the prior fiscal year and their estimated net worth, to the Chairmen of the House Appropriations and Senate Finance Committees.

d. Any state agency that is required to return federal grant funding as a result of not fulfilling the specifications of a grant, shall, as soon as practicable but no later than November 1st, report to the Chairmen of the Senate Finance and House Appropriations Committees of such forfeiting of federal grant funding.

§ 4-8.03 LOCAL GOVERNMENTS

a.1. The Auditor of Public Accounts shall establish a workgroup to develop criteria for a preliminary determination that a local government may be in fiscal distress. Such criteria shall be based upon information regularly collected by the Commonwealth or otherwise regularly made public by the local government. This information includes expenditure reports submitted to the Auditor, budget information posted on local government websites, and reports prepared by the Commission on Local Government on revenue fiscal stress. Information provided by the Virginia Retirement System, the Virginia Resources Authority, the Virginia Public Building Authority, and other state and regional authorities concerning late or missed debt service payments shall be shared with the Auditor. Fiscal distress as used in this context shall mean a situation whereby the provision and sustainability of public services is threatened by various administrative and financial shortcomings including but not limited to cash flow issues; inability to pay expenses; revenue shortfalls; deficit spending; structurally imbalanced budgets; billing and revenue collection inadequacies and discrepancies; debt overload; failure to meet obligations to authorities, school divisions, or political subdivisions of the Commonwealth; and/or lack of trained and qualified staff to process administrative and financial transactions. Fiscal distress may be caused by factors internal to the unit of government or external to the unit of government and in various degrees such conditions may or may not be controllable by management, or the local governing body, or its constitutional officers.

2. Based upon the criteria established by the workgroup and using information identified above, the Auditor of Public Accounts shall establish a prioritized early warning system. Under the prioritized early warning system, the Auditor of Public Accounts shall establish a regular process whereby it reviews data on at least an annual basis to make a preliminary determination that a local government is in fiscal distress.

3. For local governments where the Auditor of Public Accounts has made a preliminary determination of fiscal distress based upon the early warning system criteria, the Auditor of Public Accounts shall notify the local governing body of its preliminary determination that it may meet the criteria for fiscal distress. Based upon the request of the local governing body or chief executive officer, the Auditor of Public Accounts may conduct a review and request documents and data from the local government. Such review shall consider factors including, but not limited to, budget processes, debt, borrowing, expenses and payables, revenues and receivables, and other areas including staffing, and the identification of external variables contributing to a locality's financial

position, and if so, the scope of the issues involved. Any local governing body that receives requests for information from the Auditor of Public Accounts pursuant to such preliminary determination based on the above described threshold levels shall acknowledge receipt of such a request and shall ensure that a response is provided within the time frames specified by the Auditor of Public Accounts. After such review, if the Auditor of Public Accounts is of the opinion that state assistance, oversight, or targeted intervention is needed, either to further assess, help stabilize, or remediate the situation, the Auditor shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance Committees, and the governing body of the local government in writing outlining specific issues or actions that need to be addressed by state intervention.

4. The notification issued by the Auditor of Public Accounts pursuant to paragraph 3 above shall satisfy the notification requirement necessary to effectuate the provisions of this act in paragraph b.3 below.

b.1. The Director of the Department of Planning and Budget shall identify any amounts remaining unexpended from general fund appropriations in this Act as of June 30 of each year, which constitute state aid to local governments. The Director shall provide a listing of such amounts designated by item number and by program on or before August 15 of each year, to the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance Committee.

2. From such unexpended balances identified by the Director of the Department of Planning and Budget, the Governor may reappropriate up to \$750,000 from amounts which would otherwise revert to the balance of the general fund and transfer such amounts as necessary to establish a component of fund balance which may be used for the purpose of providing technical assistance and intervention actions for local governments deemed to be fiscally distressed and in need of intervention to address such distress. Any such reappropriation approved by the Governor, shall be separately identified in the commitments specified on the balance sheet and financial statements of the State Comptroller for the close of each fiscal year, to the extent that such reserve is not used or added to by future appropriation actions.

3. Prior to any expenditure of the reappropriated reserve, the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance Committee must receive a notification from the Auditor of Public Accounts that a specific locality is in need of intervention because of a worsening financial situation. The Auditor of Public Accounts may issue such a notification upon receipt of audited financial statement or other information that indicates the existence of fiscal distress. But, no such notification shall be made until appropriate follow up and correspondence ascertains that, in the opinion of the Auditor of Public Accounts, such fiscal distress indeed exists. Such notification may also be issued by the Auditor of Public Accounts if written concerns raised about fiscal distress are not adequately addressed by the locality in question.

4. Once the Governor has received a notification from the Auditor of Public Accounts indicating fiscal distress in a specific local government, the Governor shall consult with the Chairmen of the House Appropriations Committee and the Senate Finance Committee about a plan for state intervention prior to any expenditure of funds from the cash reserve. Any plan approved by the Governor for intervention should, at a minimum, specify the purpose of such intervention, the estimated duration of the intervention, and the anticipated resources (dollars and personnel) directed toward such effort. The staffing necessary to carry out the intervention plan may be assembled from either public agencies or private entities or both and, notwithstanding any other provisions of law, the Governor may use an expedited method of procurement to secure such staffing when, in his judgment, the need for intervention is of an emergency nature such that action must be taken in a timely manner to avoid or address unacceptable financial risks to the Commonwealth.

5. The governing body and the elected constitutional officers of a locality subject to an intervention plan approved by the Governor shall assist all state appointed staff conducting the intervention regardless of whether such staff are from public agencies or private entities. Intervention staff shall provide periodic reports in writing to the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance Committee outlining the scope of issues discovered and any recommendations made to remediate such issues, and the progress that is made on such recommendations or other remediation efforts. These periodic reports shall specifically address the degree of cooperation the intervention team is receiving from locally elected officials, including constitutional officers, city, county, or town managers and other local personnel in regards to their intervention work.

6. The Department of General Services is hereby encouraged to develop a master contract of qualified private sector turnaround specialists with expertise in local government intervention that the Governor can use to procure intervention services in an expeditious manner when he determines that state intervention is warranted in situations of local fiscal distress.

*c. No locality that has been previously authorized as an eligible host city pursuant to § 58.1-4107, Code of Virginia, to conduct casino gaming which held a local referendum on November 2, 2021, that failed, shall be eligible to hold a subsequent local referendum until November 2023.*

#### **§ 4-9.00 HIGHER EDUCATION RESTRUCTURING**

##### **§ 4-9.01 ASSESSMENT OF INSTITUTIONAL PERFORMANCE**

Consistent with § 23.1-206, Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional

performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no later than October 1 of each even-numbered year. Institutional performance on measures set forth in paragraph D of this section shall be evaluated year-to-date by the Secretaries of Finance and Administration as appropriate, and communicated to the State Council of Higher Education before October 1 of each even-numbered year. Financial benefits provided to each institution in accordance with § 23.1-1002 will be evaluated in light of that institution's performance.

In general, institutions are expected to achieve all performance measures in order to be certified by SCHEV, but it is understood that there can be circumstances beyond an institution's control that may prevent achieving one or more performance measures. The Council shall consider, in consultation with each institution, such factors in its review: (1) institutions meeting all performance measures will be certified by the Council and recommended to receive the financial benefits, (2) institutions that do not meet all performance measures will be evaluated by the Council and the Council may take one or more of the following actions: (a) request the institution provide a remediation plan and recommend that the Governor withhold release of financial benefits until Council review of the remediation plan or (b) recommend that the Governor withhold all or part of financial benefits.

Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related measures that the State Council deems unrelated to an institution's mission or unnecessary given the institution's level of performance.

The State Council may develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

#### a. BIENNIAL ASSESSMENTS

1. Institution meets at least 95 percent of its State Council-approved biennial projections for in-state undergraduate headcount enrollment.
2. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state associate and bachelor degree awards.
3. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state STEM-H (Science, Technology, Engineering, Mathematics, and Health professions) associate and bachelor degree awards.
4. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state, upper level - sophomore level for two-year institutions and junior and senior level for four-year institutions - program-placed, full-time equivalent students.
5. Maintain or increase the number of in-state associate and bachelor degrees awarded to students from under-represented populations.
6. Maintain or increase the number of in-state two-year transfers to four-year institutions.

#### b. Elementary and Secondary Education

1. The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production and retention of teachers, and the exiting of teachers from the teaching profession.

2. a) The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally identifiable information from education records in order to evaluate and study student preparation for and enrollment and performance at state institutions of higher education in order to improve educational policy and instruction in the Commonwealth. However, such study shall be conducted in such a manner as to not permit the personal identification of students by persons other than representatives of the Department of Education or the State Council for Higher Education for Virginia, and such shared information shall be destroyed when no longer needed for purposes of the study.

b) Notwithstanding § 2.2-3800 of the Code of Virginia, the Virginia Department of Education, State Council of Higher Education for Virginia, Virginia Community College System, and the Virginia Employment Commission may collect, use, share, and maintain de-identified student data to improve student and program performance including those for career readiness.

3. Institutions of higher education shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the purpose of studying student preparation as it relates to the content and rigor of the Standards of Learning. Furthermore, the superintendent of each school division shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the same purpose. All information provided to the Superintendent or his designee for this purpose shall be used solely for the purpose of evaluating the Standards of Learning and shall not be redisclosed, except as provided under federal law. All information shall be destroyed when no longer needed for the purposes of studying the content and rigor of the Standards of Learning.

#### c. SIX-YEAR PLAN

Institution prepares six-year financial plan consistent with § 23.1-907.

d. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to all institutions except those governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

1. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and administrative standards:

- a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;
  - b) No significant audit deficiencies attested to by the Auditor of Public Accounts;
  - c) Substantial compliance with all financial reporting standards approved by the State Comptroller;
  - d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and
  - e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.
2. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be prudently issued within a specified period.

3. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15 percent from the established goal will be acceptable.

4. The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable.

The institution will make no less than 75 percent of dollar purchases through the Commonwealth's enterprise-wide internet procurement system (eVA) from vendor locations registered in eVA.

5. The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally approved by the institution's governing board for projects initiated under delegated authority, or the budget set out in the Appropriation Act or other Acts of Assembly. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun.

6. The institution will complete major information technology projects (with an individual cost of over \$1,000,000) within the budgets and schedules originally approved by the institution's governing board. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Administration shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay.

e. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly. They shall be measured by the administrative standards outlined in the Management Agreements and § 4-9.02.d.4. of this act. However, the Governor may supplement or replace those administrative performance measures with the administrative performance measures listed in this paragraph. Effective July 1, 2009, the following administrative and financial measures shall be used for the assessment of institutional performance for institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly and those governed under Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

1. Financial

- a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;
- b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

- c) Substantial compliance with all financial reporting standards approved by the State Comptroller;
- d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and
- e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

## 2. Debt Management

- a) The institution shall maintain a bond rating of AA- or better;
- b) The institution achieves a three-year average rate of return at least equal to the imoney.net money market index fund; and
- c) The institution maintains a debt burden ratio equal to or less than the level approved by the Board of Visitors in its debt management policy.

## 3. Human Resources

- a) The institution's voluntary turnover rate for classified plus university/college employees will meet the voluntary turnover rate for state classified employees within a variance of 15 percent; and
- b) The institution achieves a rate of internal progression within a range of 40 to 60 percent of the total salaried staff hires for the fiscal year.

## 4. Procurement

- a) The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) procurement plan as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable; and
- b) The institution will make no less than 80 percent of purchase transactions through the Commonwealth's enterprise-wide internet procurement system (eVA) with no less than 75 percent of dollars to vendor locations in eVA.

## 5. Capital Outlay

- a) The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally approved by the institution's governing board at the preliminary design state for projects initiated under delegated authority, or the budget set out in the Appropriation Act or other Acts of Assembly which provides construction funding for the project at the preliminary design state. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun;
- b) The institution shall complete capital projects with the dollar amount of owner requested change orders not more than 2 percent of the guaranteed maximum price (GMP) or construction price; and
- c) The institution shall pay competitive rates for leased office space – the average cost per square foot for office space leased by the institution is within 5 percent of the average commercial business district lease rate for similar quality space within reasonable proximity to the institution's campus.

## 6. Information Technology

- a) The institution will complete major information technology projects (with an individual cost of over \$1,000,000) on time and on budget against their managed project baseline. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay; and
- b) The institution will maintain compliance with institutional security standards as evaluated in internal and external audits. The institution will have no significant audit deficiencies unresolved beyond one year.

## f. REPORTING

The Director, Department of Planning and Budget, with cooperation from the Comptroller and institutions of higher education governed under Management Agreements, shall develop uniform reporting requirements and formats for revenue and expenditure data.

## g. EXEMPTION

The requirements of this section shall not be in effect if they conflict with § 23.1-206.D. of Chapters 828 and 869 of the Acts of Assembly of 2011.

§ 4-9.02 LEVEL II AUTHORITY

a. Notwithstanding the provisions of § 5 of Chapter 824 and 829 of the 2008 Acts of Assembly, institutions of higher education that have met the eligibility criteria for additional operational and administrative authority set forth in Chapters 824 and 829 of the 2008 Acts of Assembly shall be allowed to enter into separate negotiations for additional operational authority for a third and separate functional area listed in Chapter 824 and 829 of the 2008 Acts of Assembly, provided they have:

1. successfully completed at least three years of effectiveness and efficiencies operating under such additional authority granted by an original memorandum of understanding;
2. successfully renewed an additional memoranda of understanding for a five year term for each of the original two areas.

The institutions shall meet all criteria and follow policies for negotiating and establishing a memorandum of understanding with the Commonwealth of Virginia as provided in § 2.0 (Information Technology), § 3.0 (Procurement), and § 4.0 (Capital Outlay) of Chapter 824 and 829 of the 2008 Acts of Assembly.

b. As part of the memorandum of understanding, each institution shall be required to adopt at least one new education-related measure for the new area of operational authority. Each education-related measure and its respective target shall be developed in consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the State Council of Higher Education for Virginia. Each education-related measure and its respective target must be approved by the State Council of Higher Education for Virginia. The development and administration of education-related measures described in paragraph b. and in § 23.1-1003 A.3. are suspended through 2020-2022.

c. 1. As part of a five-year pilot program, George Mason University is authorized, for a period of five years, to exercise additional financial and administrative authority as set out in each of the three functional areas of information technology, procurement and capital projects as set forth and subject to all the conditions in §§ 2.0, 3.0 and 4.0 of the second enactment of Chapter 824 and 829 of the Acts of Assembly of 2008 except that (i) any effective dates contained in Chapter 824 and 829 of the Acts of Assembly of 2008 are superseded by the provisions of this item, and (ii) the institution is not required to have a signed memorandum of understanding with the Secretary of Administration regarding participation in the nongeneral fund decentralization program as provided in subsection C of § 2.2-1132 in order to be eligible for the additional capital project authority.

2. In addition, the institution shall exercise additional financial and administrative authority over financial operations as follows:

a). BOARD OF VISITORS ACCOUNTABILITY AND DELEGATION OF AUTHORITY.

The Board of Visitors of the University shall at all times be fully and ultimately accountable for the proper fulfillment of the duties and responsibilities set forth in, and for the appropriate implementation of, this Policy. Consistent with this full and ultimate accountability, however, the Board may, pursuant to its legally permissible procedures, specifically delegate either herein or by separate Board resolution the duties and responsibilities set forth in this Policy to a person or persons within the University, who, while continuing to be fully accountable for such duties and responsibilities, may further delegate the implementation of those duties and responsibilities pursuant to the University's usual delegation policies and procedures.

b) FINANCIAL MANAGEMENT AND REPORTING SYSTEM.

The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to be authorized by the Board to maintain existing and implement new policies governing the management of University financial resources. These policies shall continue to (i) ensure compliance with Generally Accepted Accounting Principles, (ii) ensure consistency with the current accounting principles employed by the Commonwealth, including the use of fund accounting principles, with regard to the establishment of the underlying accounting records of the University and the allocation and utilization of resources within the accounting system, including the relevant guidance provided by the State Council of Higher Education for Virginia chart of accounts with regard to the allocation and proper use of funds from specific types of fund sources, (iii) provide adequate risk management and internal controls to protect and safeguard all financial resources, including moneys transferred to the University pursuant to a general fund appropriation, and ensure compliance with the requirements of the Appropriation Act.

The financial management system shall continue to include a financial reporting system to satisfy both the requirements for inclusion into the Commonwealth's Comprehensive Annual Financial Report, as specified in the related State Comptroller's Directives, and the University's separately audited financial statements. To ensure observance of limitations and restrictions placed on the use of the resources available to the University, the accounting and bookkeeping system of the University shall continue to be maintained in accordance with the principles prescribed for governmental organizations by the Governmental Accounting Standards Board.

In addition, the financial management system shall continue to provide financial reporting for the President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, and the Board of Visitors to enable them to provide adequate oversight of the financial operations of the University.

c) FINANCIAL MANAGEMENT POLICIES.

The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall create and implement any and all financial management policies necessary to establish a financial management system with adequate risk management and internal control processes and procedures for the effective protection and management of all University financial resources. Such policies will not address the underlying accounting principles and policies employed by the Commonwealth and the University, but rather will focus on the internal operations of the University's financial management. These policies shall include, but need not be limited to, the development of a tailored set of finance and accounting practices that seek to support the University's specific business and administrative operating environment in order to improve the efficiency and effectiveness of its business and administrative functions. In general, the system of independent financial management policies shall be guided by the general principles contained in the Commonwealth's Accounting Policies and Procedures such as establishing strong risk management and internal accounting controls to ensure University financial resources are properly safeguarded and that appropriate stewardship of public funds is obtained through management's oversight of the effective and efficient use of such funds in the performance of University programs.

The University shall continue to follow the Commonwealth's accounting policies until such time as specific alternate policies can be developed, approved and implemented. Such alternate policies shall include applicable accountability measures and shall be submitted to the State Comptroller for review and comment before they are implemented by the University.

d) FINANCIAL RESOURCE RETENTION AND MANAGEMENT.

The Board of Visitors shall retain the authority to establish tuition, fee, room, board, and other charges, with appropriate commitment provided to need-based grant aid for middle- and lower-income undergraduate Virginians. Except as provided otherwise in the Appropriation Act, it is the intent of the Commonwealth and the University that the University shall be exempt from the revenue restrictions in the general provisions of the Appropriation Act related to non-general funds. In addition, unless prohibited by the Appropriation Act, it is the intent of the Commonwealth and the University that the University shall be entitled to retain non-general fund savings generated from changes in Commonwealth rates and charges, including but not limited to health, life, and disability insurance rates, retirement contribution rates, telecommunications charges, and utility rates, rather than reverting such savings back to the Commonwealth. This financial resource policy assists the University by providing the framework for retaining and managing non-general funds, for the receipt of general funds, and for the use and stewardship of all these funds.

The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to provide oversight of the University's cash management system which is the framework for the retention of non-general funds. The Internal Audit Department of the University shall periodically audit the University's cash management system in accordance with appropriate risk assessment models and make reports to the Audit and Compliance Committee of the Board of Visitors. Additional oversight shall continue to be provided through the annual audit and assessment of internal controls performed by the Auditor of Public Accounts. For the receipt of general and non-general funds, the University shall conform to the Security for Public Deposits Act, Chapter 44 (§ 2.2-4400 et seq.) of Title 2.2 of the Code of Virginia as it currently exists and from time to time may be amended.

e) ACCOUNTS RECEIVABLE MANAGEMENT AND COLLECTION.

The President, through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to be authorized to create and implement any and all Accounts Receivable Management and Collection policies as part of a system for the management of University financial resources. The policies shall be guided by the requirements of the Virginia Debt Collection Act, Chapter 48 (§ 2.2-4800 et seq.) of the Code of Virginia, such that the University shall take all appropriate and cost effective actions to aggressively collect accounts receivable in a timely manner.

These shall include, but not be limited to, establishing the criteria for granting credit to University customers; establishing the nature and timing of collection procedures within the above general principles; and the independent authority to select and contract with collection agencies and, after consultation with the Office of the Attorney General, private attorneys as needed to perform any and all collection activities for all University accounts receivable such as reporting delinquent accounts to credit bureaus, obtaining judgments, garnishments, and liens against such debtors, and other actions. In accordance with sound collection activities, the University shall continue to utilize the Commonwealth's Debt Set-Off Collection Programs, shall develop procedures acceptable to the Tax Commissioner and the State Comptroller to implement such Programs, and shall provide a quarterly summary report of receivables to the Department of Accounts in accordance with the reporting procedures established pursuant to the Virginia Debt Collection Act.

f) DISBURSEMENT MANAGEMENT.

The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to be authorized to create and implement any and all disbursement policies as part of a system for the management of University financial resources. The disbursement management policies shall continue to define the appropriate and reasonable uses of all funds, from



whatever source derived, in the execution of the University's operations. These policies also shall continue to address the timing of appropriate and reasonable disbursements consistent with the Prompt Payment Act, and the appropriateness of certain goods or services relative to the University's mission, including travel-related disbursements. Further, the University's disbursement policy shall continue to provide for the mechanisms by which payments are made including the use of charge cards, warrants, and electronic payments.

These disbursement policies shall authorize the President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, to independently select, engage, and contract for such consultants, accountants, and financial experts, and other such providers of expert advice and consultation, and, after consultation with the Office of the Attorney General, private attorneys, as may be necessary or desirable in his or her discretion. The policies also shall continue to include the ability to locally manage and administer the Commonwealth's credit card and cost recovery programs related to disbursements, subject to any restrictions contained in the Commonwealth's contracts governing those programs, provided that the University shall submit the credit card and cost recovery aspects of its financial and operations policies to the State Comptroller for review and comment prior to implementing those aspects of those policies. The disbursement policies shall ensure that adequate risk management and internal control procedures shall be maintained over previously decentralized processes for public records, payroll, and non-payroll disbursements. The University shall continue to provide summary quarterly prompt payment reports to the Department of Accounts in accordance with the reporting procedures established pursuant to the Prompt Payment Act.

The University's disbursement policies shall be guided by the principles of the Commonwealth's policies as included in the Commonwealth's Accounting Policy and Procedures Manual. The University shall continue to follow the Commonwealth's disbursement policies until such time as specific alternative policies can be developed, approved and implemented. Such alternate policies shall be submitted to the State Comptroller for review and comment prior to their implementation by the University.

3. The Auditor of Public Accounts or his legally authorized representatives shall audit annually the accounts of each institution and shall distribute copies of each annual audit to the Governor and to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance. Pursuant to § 30-133, the Auditor of Public Accounts and his legally authorized representatives shall examine annually the accounts and books of each such institution, but the institution shall not be deemed to be a state or governmental agency, advisory agency, public body, or agency or instrumentality for purposes of Chapter 14 (§ 30-130 et seq.) of Title 30 except for those provisions in such chapter that relate to requirements for financial recordkeeping and bookkeeping. Each such institution shall be subject to periodic external review by the Joint Legislative and Audit Review Commission and such other reviews and audits as shall be required by law.

d. Subject to review of its Shared Services Center by the Department of General Services, and approval to proceed with decentralized procurement of authority by the Department of General Services, the Virginia Community College System (VCCS) is authorized, for a period of five years, to exercise additional financial and administrative authority as set out in each of the three functional areas of information technology, procurement and capital projects as set forth and subject to all the conditions in §§ 2.0, 3.0 and 4.0 of the second enactment of Chapter 824 and 829 of the Acts of Assembly of 2008 except that (i) any effective dates contained in Chapter 824 and 829 of the Acts of Assembly of 2008 are superseded by the provisions of this item. The State Board for Community Colleges may request any subsequent delegation of procurement authority after consultation with and positive recommendation by the Department of General Services.

e. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement for institutions of higher education that have operational authority in the area of procurement, the small purchases thresholds shall be the same thresholds set forth in the Virginia Public Procurement Act (§ 2.2-4300 et seq). Where small purchase thresholds in the Rules Governing Procurement for such institutions exceed those in 2.2-4300 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

#### § 4-9.03 LEVEL III AUTHORITY

a. The Management Agreements negotiated by the institutions contained in Chapters 675 and 685 of the 2009 Acts of Assembly shall continue in effect unless the Governor, the General Assembly, or the institutions determine that the Management Agreements need to be renegotiated or revised.

b. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement the small purchases thresholds for Level III institutions shall be the small purchase thresholds set forth in the Virginia Public Procurement Act (§ 2.2-4300 et seq). Where small purchase thresholds under Rules Governing Procurement for Level III institutions exceed those in 2.2-4300 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

c. Pursuant to § 23.1-1005, Code of Virginia, the Governor recommends approval for George Mason University to operate as a Level III institution under the management agreement as approved by its board of visitors on October 1, 2020.

#### § 4-9.04 IMPLEMENT JLARC RECOMMENDATIONS

a. The Boards of Visitors at each Virginia public four-year higher education institution, to the extent practicable, shall:

1. require their institutions to clearly list the amount of the athletic fee on their website's tuition and fees information page. The page should include a link to the State Council of Higher Education for Virginia's tuition and fee information. The boards should consider requiring institutions to list the major components of all mandatory fees, including the portion attributable to athletics, on a separate page attached to student invoices;
  2. assess the feasibility and impact of raising additional revenue through campus recreation and fitness enterprises to reduce reliance on mandatory student fees. The assessments should address the feasibility and impact of raising additional revenue through charging for specialized programs and services, expanding membership, and/or charging all users of recreation facilities;
  3. direct staff to perform a comprehensive review of the institution's organizational structure, including an analysis of spans of control and a review of staff activities and workload, and identify opportunities to streamline the organizational structure. Boards should further direct staff to implement the recommendations of the review to streamline their organizational structures where possible;
  4. require periodic reports on average and median spans of control and the number of supervisors with six or fewer direct reports;
  5. direct staff to revise human resource policies to eliminate unnecessary supervisory positions by developing standards that establish and promote broader spans of control. The new policies and standards should (i) set an overall target span of control for the institution, (ii) set a minimum number of direct reports per supervisor, with guidelines for exceptions, (iii) define the circumstances that necessitate the use of a supervisory position, (iv) prohibit the establishment of supervisory positions for the purpose of recruiting or retaining employees, and (v) establish a periodic review of departments where spans of control are unusually narrow; and,
  6. direct institution staff to set and enforce policies to maximize standardization of purchases of commonly procured goods, including use of institution-wide contracts;
  7. consider directing institution staff to provide an annual report on all institutional purchases, including small purchases, that are exceptions to the institutional policies for standardizing purchases;
  8. participate in national faculty teaching load assessments by discipline and faculty type.
- b. The State Council on Higher Education for Virginia, to the extent practicable, shall:
1. convene a working group of institution financial officers, with input from the Department of Accounts, the Department of Planning and Budget, and the Auditor of Public Accounts, to create a standard way of calculating and publishing mandatory non-E&G fees, including for intercollegiate athletics;
  2. update the state's Chart of Accounts for higher education in order to improve comparability and transparency of mandatory non-E&G fees, with input from the Department of Accounts, the Department of Planning and Budget, the Auditor of Public Accounts, and institutional staff. This process should be coordinated with the standardization of tuition and fee reporting;
  3. convene a working group of institutional staff to develop instructional and research space guidelines that adequately measure current use of space and plans for future use of space at Virginia's public higher education institutions;
  4. coordinate a committee of institutional representatives, such as the previously authorized Learning Technology Advisory Committee. In addition to the objectives set out in the Appropriation Act for the Learning Technology Advisory Committee, the committee should identify instructional technology initiatives and best practices for directly or indirectly lowering institutions' instructional expenditures per student while maintaining or enhancing student learning;
  5. include factors such as discipline, faculty rank, cost of living, and regional comparisons in developing faculty salary goals;
  6. identify instructional technology best practices that directly or indirectly lower student cost while maintaining or enhancing learning.
- c. Notwithstanding the provisions of § 23.1-1304, the State Council of Higher Education for Virginia shall annually train boards of visitors members on the types of information members should request from institutions to inform decision making, such as performance measures, benchmarking data, the impact of financial decisions on student costs, and past and projected cost trends. Boards of Visitors members serving on finance and facilities subcommittees should, at a minimum, participate in the training within their first year of membership on the subcommittee. SCHEV should obtain assistance in developing or delivering the training from relevant agencies such as the Department of General Services and past or present finance officers at Virginia's public four-year institutions, as appropriate.
- d. The Department of Planning and Budget shall revise the formula used to make allocation recommendations for the state's maintenance reserve funding to account for higher maintenance needs resulting from poor facility condition, aging of facilities, and differences in facility use.
- e. The Six-Year Capital Outlay Plan Advisory Committee, the Department of Planning and Budget, and others as appropriate shall use the results of the prioritization process established by the State Council of Higher Education for Virginia in determining which capital projects should receive funding.

f. Beginning with fiscal year 2016, the Auditor of Public Accounts shall include in its audit plan for each public institution of higher education a review of progress in implementing the JLARC recommendations contained in paragraph § 4-9.04 a.

#### § 4-11.00 STATEMENT OF FINANCIAL CONDITION

Each agency head handling any state funds shall, at least once each year, upon request of the Auditor of Public Accounts, make a detailed statement, under oath, of the financial condition of his office as of the date of such call, to the Auditor of Public Accounts, and upon such forms as shall be prescribed by the Auditor of Public Accounts.

#### § 4-12.00 SEVERABILITY

If any part, section, subsection, paragraph, sentence, clause, phrase, or item of this act or the application thereof to any person or circumstance is for any reason declared unconstitutional, such decisions shall not affect the validity of the remaining portions of this act which shall remain in force as if such act had been passed with the unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, item or such application thereof eliminated; and the General Assembly hereby declares that it would have passed this act if such unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, or item had not been included herein, or if such application had not been made.

#### § 4-13.00 CONFLICT WITH OTHER LAWS

Notwithstanding any other provision of law, and until June 30, 2022, the provisions of this act shall prevail over any conflicting provision of any other law, without regard to whether such other law is enacted before or after this act; however, a conflicting provision of another law enacted after this act shall prevail over a conflicting provision of this act if the General Assembly has clearly evidenced its intent that the conflicting provision of such other law shall prevail, which intent shall be evident only if such other law (i) identifies the specific provision(s) of this act over which the conflicting provision of such other law is intended to prevail and (ii) specifically states that the terms of this section are not applicable with respect to the conflict between the provision(s) of this act and the provision of such other law.

#### § 4-14.00 EFFECTIVE DATE

This act is effective on its passage as provided in § 1-214, Code of Virginia.

#### ADDITIONAL ENACTMENTS

**3. That the authority and responsibilities of the Secretary of Technology included in the Code of Virginia shall be executed by the Secretary of Administration and the Secretary of Commerce and Trade pursuant to Item 66 and Item 111 of this act. Any authority or responsibilities of the Secretary of Technology not referenced in Item 66 and Item 111 of this act shall be executed by either the Secretary of Administration or the Secretary of Commerce and Trade as determined by the Governor.**

**4. That any authority or responsibilities of the Innovation and Entrepreneurship Investment Authority and the Center for Innovative Technology not referenced in Item 135 of this Act shall be executed by the Virginia Innovation Partnership Authority and the non-profit entity established in legislation to be considered by the 2020 General Assembly.**

**5. That § 16.1-69.48:2 of the Code of Virginia is amended and reenacted as follows:**

**§ 16.1-69.48:2. Fees for services of district court judges and clerks and magistrates in civil cases.**

Fees in civil cases for services performed by the judges or clerks of general district courts or magistrates in the event any such services are performed by magistrates in civil cases shall be as provided in this section, and, unless otherwise provided, shall be included in the taxed costs and shall not be refundable, except in case of error or as herein provided.

For all court and magistrate services in each district, detinue, interrogatory summons, unlawful detainer, civil warrant, notice of motion, garnishment, attachment issued, or other civil proceeding, the fee shall be \$36. No such fee shall be collected (i) in any tax case instituted by any county, city or town or (ii) in any case instituted by a school board for collection of overdue book rental fees. Of the fees collected under this section, \$10 of each such fee collected shall be apportioned to the Courts Technology Fund established under § 17.1-132.

The judge or clerk shall collect the foregoing fee at the time of issuing process. Any magistrate or other issuing officer shall collect the foregoing fee at the time of issuing process, and shall remit the entire fee promptly to the court to which such process is returnable, or to its clerk. When no service of process is had on a defendant named in any civil process other than a notice of motion for judgment, such process may be reissued once by the court or clerk at the court's direction by changing the return day of such process, for which service by the court or clerk there shall be no charge; however, reissuance of such process shall be within three months after the original return day.

The clerk of any district court may charge a fee for making a copy of any paper of record to go out of his office which is not otherwise specifically provided for. The amount of this fee shall be set in the discretion of the clerk but shall not exceed \$1 for the

first two pages and \$.50 for each page thereafter.

The fees prescribed in this section shall be the only fees charged in civil cases for services performed by such judges and clerks, and when the services referred to herein are performed by magistrates such fees shall be the only fees charged by such magistrates for the prescribed services.

**6. a. In anticipation of the collection of taxes and revenues of the Commonwealth, for fiscal years 2021 and 2022, the Treasury Board is hereby authorized, by and with the consent of the Governor, to sell and issue, pursuant to Article X, Section 9 (a)(2) of the Constitution of Virginia, as the case may be, at one time or from time to time, tax and revenue anticipation notes ("9(a)(2) Notes") of the Commonwealth, including 9(a)(2) Notes issued as commercial paper. The proceeds of such 9(a)(2) Notes, excluding amounts needed to fund issuance costs, reserve funds, and other financing expenses, shall be used exclusively for the purpose of providing funds, together with any other available funds, to help manage the cash flow impact of actual or potential reductions of tax and other revenues or increases in expenses related to or resulting from the COVID-19 pandemic, and including the payment of operating expenses incurred or to be incurred in anticipation of the collection of taxes and revenues by the Commonwealth.**

**b. In addition, in anticipation of the collection of taxes and revenues of the Commonwealth, and its counties, cities and towns, for fiscal years 2021 and 2022, the Treasury Board is hereby authorized, by and with the consent of the Governor, to sell and issue, pursuant to Article X, Section 9 (d) of the Constitution of Virginia, as the case may be, at one time or from time to time, tax and revenue anticipation notes of the Commonwealth ("9(d) Notes" and together with the 9(a)(2) Notes authorized in the foregoing paragraph, "Notes"), including 9(d) Notes issued as commercial paper. The proceeds of such 9(d) Notes, excluding amounts needed to fund issuance costs, reserve funds, and other financing expenses, shall be used exclusively for the purpose of providing funds, together with any other available funds, to help manage the cash flow impact of actual or potential reductions of tax and other revenues or increases in expenses related to or resulting from the COVID-19 pandemic, and including the payment of operating expenses incurred or to be incurred in anticipation of the collection of taxes and revenues by the Commonwealth and its counties, cities and towns, and to purchase or acquire similar notes issued by, or otherwise to assist, cities, counties and towns of the Commonwealth for such purpose. The Governor is authorized to select the counties, cities and towns to participate in the undertakings authorized hereunder and direct the distribution of 9(d) Note proceeds to the particular counties, cities and town, and shall, after consultation with all interested parties, develop a guidance document governing eligibility and priority criteria.**

**c. The Treasury Board is authorized to issue Notes hereunder in an aggregate principal amount not exceeding \$500,000,000 for the benefit of the Commonwealth and in an aggregate principal amount not exceeding \$250,000,000 for the benefit of counties, cities and towns, plus in either case amounts needed to fund issuance costs, reserve funds, capitalized interest, and other financing expenses.**

**d. 9(a)(2) Notes shall mature at such time or times within twelve months from their date or dates, and 9(d) Notes shall mature at such time or times not exceeding two years from their date or dates.**

**e. The full faith and credit of the Commonwealth shall be pledged to any 9(a)(2) Notes issued under the provisions of this Item. 9(d) Notes issued under the provisions of this item shall not be deemed to constitute a debt of the Commonwealth of Virginia or a pledge of the full faith and credit of the Commonwealth, but such obligations shall be payable solely, subject to appropriation by the General Assembly, from amounts appropriated from time to time by the General Assembly and from amounts paid by counties, cities and towns that issue bonds, notes or obligations with respect to this Item. There is hereby appropriated a sum sufficient to the Treasury Board for the purpose of paying the debt service on the Notes.**

**f. The Virginia Resources Authority is authorized to purchase and acquire through proceeds of 9(d) Notes bonds, notes or obligations of counties, cities and towns of the Commonwealth issued for the purposes authorized hereunder and establish the interest rates and repayment terms of such bonds, notes or obligations in accordance with a memorandum of agreement with the Treasury Board and the Authority shall recover its reasonable costs and expenses for doing so from the proceeds of such Notes and for its role in the administration and management of such proceeds.**

**g. Each county, city, and town is hereby authorized to issue bonds, notes or obligations for the purposes set forth in paragraph (b) above. The authority of any county, city, and town to contract and to issue bonds, notes or obligations pursuant to such authorization is in addition to any existing authority to contract and issue bonds, notes or obligations, anything in the laws of the Commonwealth, including any local charter, to the contrary notwithstanding. The provisions of Virginia Code § 15.2-2659 and § 62.1-216.1 shall apply, mutatis mutandis, with respect to any bond, note or obligation issued by a county, city or town hereunder.**

**h. The proceeds, including any premium, of the Notes shall be deposited in a special account in the state treasury and, together with the investment income thereon, shall be disbursed by the State Treasurer from time to time for paying all or any part of the expenses or undertakings as set forth in paragraphs (a) and (b) above. The Notes shall be dated and may be made redeemable before their maturity or maturities at such price or prices or within such price parameters, all as may be determined by the Treasury Board, by and with the consent of the Governor, and shall be in such form, shall bear interest at such rate or rates, either at fixed rates or at rates established by formula or other method, and may contain such other provisions, all as determined by the Treasury Board or, when authorized by the Treasury Board, the State Treasurer. The**

principal of and premium, if any, and the interest on Notes shall be payable in lawful money of the United States of America. Notes may be certificated or uncertificated as determined by the Treasury Board. The Treasury Board may contract for services of such registrars, transfer agents, or other authenticating agents as it deems appropriate to maintain a record of the persons entitled to the Notes. Notes issued in certificated form may be issued under a system of book entry for recording the ownership and transfer of ownership of rights to receive payments on the Notes. The Treasury Board shall fix the authorized denomination or denominations of the Notes and the place or places of payment of certificated Notes, which may be at the Office of the State Treasurer or at any bank or trust company within or without the Commonwealth. The Treasury Board may sell Notes in such manner, by competitive bidding, negotiated sale, or private placement with private lenders or governmental agencies, and for such price or within such price parameters as it may determine, by and with the consent of the Governor, to be in the best interest of the Commonwealth. In the discretion of the Treasury Board, Notes may be issued at one time or from time to time. Certificated Notes shall be signed on behalf of the Commonwealth by the Governor and by the State Treasurer, or shall bear their facsimile signatures, and shall bear the lesser seal of the Commonwealth or a facsimile thereof. If the Notes bear the facsimile signature of the State Treasurer, they shall be signed by such administrative assistant as the State Treasurer shall determine or by such registrar or paying agent as may be designated to sign them by the Treasury Board. If any officer whose signature or facsimile signature appears on any Notes ceases to be such officer before delivery, such signature or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery, and any Note may bear the facsimile signature of, or may be signed by, such persons as at the actual time of execution are the proper officers to sign such Note, although at the date of such Note, such persons may not have been such officers.

i. The Treasury Board is authorized to create debt service and sinking funds for the payments of the principal of, premium, if any, and interest on the Notes and other funds or reserves desirable or required by any purchaser. Pending the application of the proceeds of the Notes to the purpose for which they have been authorized and the application of funds set aside for the purpose to the payment of Notes, they may be invested by the State Treasurer in securities that are legal investments under the laws of the Commonwealth for public funds and sinking funds, as the case may be. Whenever the State Treasurer receives interest from the investment of the proceeds of Notes, such interest shall become a part of the principal of the Notes and shall be used in the same manner as required for principal of the Notes.

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.

k. In addition to the relief provided pursuant to clause 7.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 December 31, 2020.

1. In the utility's 2021 triennial review, the provisions of clause 7.k. 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 amounts pursuant to clause 7.k. 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 November 1, 2021, 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.

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 Relief Program (formerly Virginia Rent and Mortgage Relief Program) assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent Relief Program (formerly 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 Relief Program (formerly Virginia Rent and Mortgage Relief Program) assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent Relief Program (formerly 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 Relief Program (formerly 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 Relief Program (formerly 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 Relief Program (formerly 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 Relief Program (formerly Virginia Rent and Mortgage Relief Program) assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent Relief Program (formerly 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 Relief Program (formerly 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 Relief Program (formerly 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 Relief Program (formerly Virginia Rent and Mortgage Relief Program) or any other federal, state, or local rent relief program, the administrator of the Virginia Rent Relief Program (formerly 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, pursuant to § 55.1-1202, Code of Virginia, serve a written notice on the tenant that informs the tenant of the Virginia Rent Relief Program (formerly Virginia Rent and Mortgage Relief Program) and provides the website address and statewide telephone number for that program. The written notice shall also provide information on how to reach 2-1-1 Virginia to determine whether there are any other available federal, state and local rent relief programs. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent shall apply for rental assistance on the tenant's behalf within 14 days of serving the notice on the tenant, unless the tenant pays in full, enters into a payment plan or informs the landlord that they have already applied for rental assistance. The landlord shall apply for rental assistance on behalf of the tenant no later than 14 days after serving the written notice on the tenant, unless they receive the full amount owed by the tenant or confirmation from the tenant that the tenant has applied for rental assistance before the 14th day, or they have entered into a payment plan with the tenant. If the tenant has applied for rental assistance, the landlord shall cooperate with the tenant's application, by providing all information and documentation required to complete the application, including but not limited to the W-9 IRS form and any supporting affidavits. In an initial application, if the landlord or the tenant does not receive written approval from the Virginia Rent Relief Program (formerly 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 premise as provided in § 55.1-1251. For any subsequent application, if the landlord or tenant does not receive written approval from the Virginia Rent Relief Program (formerly 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 a tenant who has not paid in full or entered into a payment plan with the landlord within 14 days after the written notice is served refuses to apply for rental assistance and also refuses to cooperate with the landlord in providing information and documentation required to complete the application made by the landlord, or if such tenant is determined ineligible for rental assistance, or there are no longer funds available through any federal, state or local rental assistance program, the landlord may take action to obtain possession of the tenant's dwelling unit as provided in § 55.1-1251, Code of Virginia.

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 November 18, 2020; however, a landlord shall not initiate, maintain, or advance any legal process to obtain possession of a dwelling unit for non-payment of the rent unless the landlord complies with the provisions of this Section 8.

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.

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.

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 E.

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.

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.

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 30-395, 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 30-395, 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.

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.**

The Division of Legislative Services shall serve as staff to the Joint Reapportionment Committee.

**§ 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 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.

I. Notwithstanding paragraph G. above or any other provision of law, the Chairs of the Virginia Redistricting Commission shall keep the Senate President Pro Tempore, the Senate Minority Leader, the Speaker of the House of Delegates, the House Minority Leader, and the Governor informed about the timing of availability of United States Bureau of the Census data as it relates to the tabulation of the population for reapportionment purposes pursuant to P.L. 94-171, and options for redistricting and its impact on elections for the House of Delegates.

**§ 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.

F. Notwithstanding paragraph C. above, or any other provision of law, the daily compensation and reimbursement for reasonable and necessary expenses for legislative and non-legislative members of the Virginia Redistricting Commission for attendance at an official meeting shall be set at the same amounts provided for legislative members in paragraphs B.4.d. and B.5. of Item 1 of the this act.

**§ 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.**

**11. That §§ 58.1-301, 58.1-322.02, 58.1-322.03, and 58.1-402 of the Code of Virginia are amended and reenacted as follows:**

#### **§ 58.1-301. Conformity to Internal Revenue Code.**

A. Any term used in this chapter shall have the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required.

B. Any reference in this chapter to the laws of the United States relating to federal income taxes shall mean the provisions of the Internal Revenue Code of 1954, and amendments thereto, and other provisions of the laws of the United States relating to federal income taxes, as they existed on December 31, 2020, except for:

1. The special depreciation allowance for certain property provided for under §§ 168(k), 168(l), 168(m), 1400L, and 1400N of the Internal Revenue Code;
2. The carry-back of certain net operating losses for five years under § 172(b)(1)(H) of the Internal Revenue Code;
3. The original issue discount on applicable high yield discount obligations under § 163(e)(5)(F) of the Internal Revenue Code;
4. The deferral of certain income under § 108(i) of the Internal Revenue Code. For Virginia income tax purposes, income from the discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument" (as defined under § 108(i) of the Internal Revenue Code) reacquired in the taxable year shall be fully included in the taxpayer's Virginia taxable income for the taxable year, unless the taxpayer elects to include such income in the taxpayer's Virginia taxable income ratably over a three-taxable-year period beginning with taxable year 2009 for transactions completed in taxable year 2009, or over a three-taxable-year period beginning with taxable year 2010 for transactions completed in taxable year 2010 on or before April 21, 2010. For purposes of such election, all other provisions of § 108(i) of the Internal Revenue Code shall apply mutatis mutandis. No other deferral shall be allowed for income from the discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument";
5. For taxable years beginning on and after January 1, 2019, the suspension of the overall limitation on itemized deductions under § 68(f) of the Internal Revenue Code;
6. For taxable years beginning on and after January 1, 2017, but before January 1, 2018, and for taxable years beginning on and after January 1, 2019, the 7.5 percent of federal adjusted gross income threshold set forth in § 213(a) of the Internal Revenue Code that is used for purposes of computing the deduction allowed for expenses for medical care pursuant to § 213 of the Internal Revenue Code. For such taxable years, the threshold utilized for Virginia income tax purposes to compute the deduction allowed for expenses for medical care pursuant to § 213 of the Internal Revenue Code shall be 10 percent of federal adjusted gross income;
7. The provisions of §§ 2303(a) and 2303(b) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to the net operating loss limitation and carryback;
8. The provisions of § 2304(a) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to a loss limitation applicable to taxpayers other than corporations;



9. The provisions of § 2306 of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to the limitation on business interest; and

10. The provisions of §§ 276(a), 276(b)(2), 276(b)(3), 278(a)(2), 278(a)(3), 278(b)(2), 278(b)(3), 278(c)(2), 278(c)(3), 278(d)(2), and 278(d)(3) of the federal Consolidated Appropriations Act, P.L. 116-260 (2020), related to deductions, tax attributes, and basis increases for certain loan forgiveness and other business financial assistance.

The Department of Taxation is hereby authorized to develop procedures or guidelines for implementation of the provisions of this section, which procedures or guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

**§ 58.1-322.02. Virginia taxable income; subtractions.**

In computing Virginia taxable income pursuant to § 58.1-322, to the extent included in federal adjusted gross income, there shall be subtracted:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission, or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States, including, but not limited to, stocks, bonds, treasury bills, and treasury notes but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations, of the Commonwealth or of any political subdivision or instrumentality of the Commonwealth.

3. Benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code.

4. Up to \$20,000 of disability income, as defined in § 22(c)(2)(B)(iii) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of § 58.1-322.03 may not also claim a subtraction under this subdivision.

5. The amount of any refund or credit for overpayment of income taxes imposed by the Commonwealth or any other taxing jurisdiction.

6. The amount of wages or salaries eligible for the federal Work Opportunity Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.

7. Any amount included therein less than \$600 from a prize awarded by the Virginia Lottery.

8. The wages or salaries received by any person for active and inactive service in the National Guard of the Commonwealth of Virginia, not to exceed the amount of income derived from 39 calendar days of such service or \$3,000, whichever amount is less; however, only those persons in the ranks of O3 and below shall be entitled to the deductions specified in this subdivision.

9. Amounts received by an individual, not to exceed \$1,000 for taxable years beginning on or before December 31, 2019, and \$5,000 for taxable years beginning on or after January 1, 2020, as a reward for information provided to a law-enforcement official or agency, or to a nonprofit corporation created exclusively to assist such law-enforcement official or agency, in the apprehension and conviction of perpetrators of crimes. This subdivision shall not apply to the following: an individual who is an employee of, or under contract with, a law-enforcement agency, a victim or the perpetrator of the crime for which the reward was paid, or any person who is compensated for the investigation of crimes or accidents.

10. The amount of "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code and which shall be available to partners, shareholders of S corporations, and members of limited liability companies to the extent and in the same manner as other deductions may pass through to such partners, shareholders, and members.

11. Any income received during the taxable year derived from a qualified pension, profit-sharing, or stock bonus plan as described by § 401 of the Internal Revenue Code, an individual retirement account or annuity established under § 408 of the Internal Revenue Code, a deferred compensation plan as defined by § 457 of the Internal Revenue Code, or any federal government retirement program, the contributions to which were deductible from the taxpayer's federal adjusted gross income, but only to the extent the contributions to such plan or program were subject to taxation under the income tax in another state.

12. Any income attributable to a distribution of benefits or a refund from a prepaid tuition contract or savings trust account with the Virginia College Savings Plan, created pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. The subtraction for any income attributable to a refund shall be limited to income attributable to a refund in the event of a beneficiary's death, disability, or receipt of a scholarship.

13. All military pay and allowances, to the extent included in federal adjusted gross income and not otherwise subtracted, deducted, or exempted under this section, earned by military personnel while serving by order of the President of the United States with the consent of Congress in a combat zone or qualified hazardous duty area that is treated as a combat zone for federal tax

purposes pursuant to § 112 of the Internal Revenue Code.

14. For taxable years beginning before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent that a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

15. Fifteen thousand dollars of military basic pay for military service personnel on extended active duty for periods in excess of 90 days; however, the subtraction amount shall be reduced dollar-for-dollar by the amount by which the taxpayer's military basic pay exceeds \$15,000 and shall be reduced to zero if such military basic pay amount is equal to or exceeds \$30,000.

16. The first \$15,000 of salary for each federal and state employee whose total annual salary from all employment for the taxable year is \$15,000 or less.

17. Unemployment benefits taxable pursuant to § 85 of the Internal Revenue Code.

18. Any amount received as military retirement income by an individual awarded the Congressional Medal of Honor.

19. Items of income attributable to, derived from, or in any way related to (i) assets stolen from, hidden from, or otherwise lost by an individual who was a victim or target of Nazi persecution or (ii) damages, reparations, or other consideration received by a victim or target of Nazi persecution to compensate such individual for performing labor against his will under the threat of death, during World War II and its prelude and direct aftermath. This subtraction shall not apply to assets acquired with such items of income or with the proceeds from the sale of assets stolen from, hidden from, or otherwise lost to, during World War II and its prelude and direct aftermath, a victim or target of Nazi persecution. The provisions of this subdivision shall only apply to an individual who was the first recipient of such items of income and who was a victim or target of Nazi persecution, or a spouse, surviving spouse, or child or stepchild of such victim.

As used in this subdivision:

"Nazi regime" means the country of Nazi Germany, areas occupied by Nazi Germany, those European countries allied with Nazi Germany, or any other neutral European country or area in Europe under the influence or threat of Nazi invasion.

"Victim or target of Nazi persecution" means any individual persecuted or targeted for persecution by the Nazi regime who had assets stolen from, hidden from, or otherwise lost as a result of any act or omission in any way relating to (i) the Holocaust, (ii) World War II and its prelude and direct aftermath, (iii) transactions with or actions of the Nazi regime, (iv) treatment of refugees fleeing Nazi persecution, or (v) the holding of such assets by entities or persons in the Swiss Confederation during World War II and its prelude and aftermath. A "victim or target of Nazi persecution" also includes any individual forced into labor against his will, under the threat of death, during World War II and its prelude and direct aftermath.

20. The military death gratuity payment made after September 11, 2001, to the survivor of deceased military personnel killed in the line of duty, pursuant to 10 U.S.C. Chapter 75; however, the subtraction amount shall be reduced dollar-for-dollar by the amount that the survivor may exclude from his federal gross income in accordance with § 134 of the Internal Revenue Code.

21. The death benefit payments from an annuity contract that are received by a beneficiary of such contract, provided that (i) the death benefit payment is made pursuant to an annuity contract with an insurance company and (ii) the death benefit payment is paid solely by lump sum. The subtraction under this subdivision shall be allowed only for that portion of the death benefit payment that is included in federal adjusted gross income.

22. Any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals with the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. Any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. Any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income shall be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided that the business has its principal office or facility in the Commonwealth and less than \$3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment shall be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. For taxable years beginning on and after January 1, 2014, any income of an account holder for the taxable year taxed as (i) a capital

gain for federal income tax purposes attributable to such person's first-time home buyer savings account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 and (ii) interest income or other income for federal income tax purposes attributable to such person's first-time home buyer savings account.

Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any subtraction taken under this subdivision shall be subject to recapture in the taxable year or years in which moneys or funds withdrawn from the first-time home buyer savings account were used for any purpose other than the payment of eligible costs by or on behalf of a qualified beneficiary, as provided under § 36-174. The amount subject to recapture shall be a portion of the amount withdrawn in the taxable year that was used for other than the payment of eligible costs, computed by multiplying the amount withdrawn and used for other than the payment of eligible costs by the ratio of the aggregate earnings in the account at the time of the withdrawal to the total balance in the account at such time.

However, recapture shall not apply to the extent of moneys or funds withdrawn that were (i) withdrawn by reason of the qualified beneficiary's death or disability; (ii) a disbursement of assets of the account pursuant to a filing for protection under the United States Bankruptcy Code, 11 U.S.C. §§ 101 through 1330; or (iii) transferred from an account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 into another account established pursuant to such chapter for the benefit of another qualified beneficiary.

For purposes of this subdivision, "account holder," "eligible costs," "first-time home buyer savings account," and "qualified beneficiary" mean the same as those terms are defined in § 36-171.

26. For taxable years beginning on and after January 1, 2015, any income for the taxable year attributable to the discharge of a student loan solely by reason of the student's death. For purposes of this subdivision, "student loan" means the same as that term is defined under § 108(f) of the Internal Revenue Code.

27. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 27:

"Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment. "Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a similar field of study. The Department may require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

28. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or 27 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 28:

"Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust. In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double

distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

29. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

30. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to \$100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

**§ 58.1-322.03. Virginia taxable income; deductions.**

In computing Virginia taxable income pursuant to § 58.1-322, there shall be deducted from Virginia adjusted gross income as defined in § 58.1-321:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount that, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return: (i) for taxable years beginning before January 1, 2019, and on and after January 1, 2026, \$3,000 for single individuals and \$6,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return) and (ii) for taxable years beginning on and after January 1, 2019, but before January 1, 2026, \$4,500 for single individuals and \$9,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return). For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of \$930 for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. Each blind or aged taxpayer as defined under § 63(f) of the Internal Revenue Code shall be entitled to an additional personal exemption in the amount of \$800.

The additional deduction for blind or aged taxpayers allowed under this subdivision shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional \$1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided that the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. a. A deduction in the amount of \$12,000 for individuals born on or before January 1, 1939.

b. A deduction in the amount of \$12,000 for individuals born after January 1, 1939, who have attained the age of 65. This deduction shall be reduced by \$1 for every \$1 that the taxpayer's adjusted federal adjusted gross income exceeds \$50,000 for single taxpayers or \$75,000 for married taxpayers. For married taxpayers filing separately, the deduction shall be reduced by \$1 for every \$1 that the total combined adjusted federal adjusted gross income of both spouses exceeds \$75,000.

For the purposes of this subdivision, "adjusted federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.

6. The amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or college savings trust account entered into with the Virginia College Savings Plan, pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. Except as provided in subdivision b, the amount deducted on any individual income tax return in any taxable year shall be limited to \$4,000 per prepaid tuition contract or college savings trust account. No deduction shall be allowed pursuant to this subdivision 7 if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a college savings trust account exceeds \$4,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or college savings trust contribution has been fully deducted; however, except as provided in subdivision b, in no event shall the amount deducted in any taxable year exceed \$4,000 per contract or college savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken

hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, "purchaser" or "contributor" means the person shown as such on the records of the Virginia College Savings Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or college savings trust account, the transferee shall succeed to the transferor's tax attributes associated with a prepaid tuition contract or college savings trust account, including, but not limited to, carryover and recapture of deductions.

b. A purchaser of a prepaid tuition contract or contributor to a college savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed \$4,000 per prepaid tuition contract or college savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a college savings trust account, less any amounts previously deducted.

8. The total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided that the individual has not claimed a deduction for such amount on his federal income tax return.

9. An amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subdivision shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. The amount an individual pays annually in premiums for long-term health care insurance, provided that the individual has not claimed a deduction for federal income tax purposes, or, for taxable years beginning before January 1, 2014, a credit under § 58.1-339.11. For taxable years beginning on and after January 1, 2014, no such deduction for long-term health care insurance premiums paid by the individual during the taxable year shall be allowed if the individual has claimed a federal income tax deduction for such taxable year for long-term health care insurance premiums paid by him.

11. Contract payments to a producer of quota tobacco or a tobacco quota holder, or their spouses, as provided under the American Jobs Creation Act of 2004 (P.L. 108-357), but only to the extent that such payments have not been subtracted pursuant to subsection D of § 58.1-402, as follows:

a. If the payment is received in installment payments, then the recognized gain may be subtracted in the taxable year immediately following the year in which the installment payment is received.

b. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

12. An amount equal to 20 percent of the sum paid by an individual pursuant to Chapter 6 (§ 58.1-600 et seq.), not to exceed \$500 in each taxable year, in purchasing for his own use the following items of tangible personal property: (i) any clothes washers, room air conditioners, dishwashers, and standard size refrigerators that meet or exceed the applicable energy star efficiency requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; (ii) any fuel cell that (a) generates electricity using an electrochemical process, (b) has an electricity-only generation efficiency greater than 35 percent, and (c) has a generating capacity of at least two kilowatts; (iii) any gas heat pump that has a coefficient of performance of at least 1.25 for heating and at least 0.70 for cooling; (iv) any electric heat pump hot water heater that yields an energy factor of at least 1.7; (v) any electric heat pump that has a heating system performance factor of at least 8.0 and a cooling seasonal energy efficiency ratio of at least 13.0; (vi) any central air conditioner that has a cooling seasonal energy efficiency ratio of at least 13.5; (vii) any advanced gas or oil water heater that has an energy factor of at least 0.65; (viii) any advanced oil-fired boiler with a minimum annual fuel-utilization rating of 85; (ix) any advanced oil-fired furnace with a minimum annual fuel-utilization rating of 85; and (x) programmable thermostats.

13. The lesser of \$5,000 or the amount actually paid by a living donor of an organ or other living tissue for unreimbursed out-of-pocket expenses directly related to the donation that arose within 12 months of such donation, provided that the donor has not taken a medical deduction in accordance with the provisions of § 213 of the Internal Revenue Code for such expenses. The deduction may be taken in the taxable year in which the donation is made or the taxable year in which the 12-month period expires.

14. For taxable years beginning on and after January 1, 2013, the amount an individual age 66 or older with earned income of at least \$20,000 for the year and federal adjusted gross income not in excess of \$30,000 for the year pays annually in premiums for (i) a prepaid funeral insurance policy covering the individual or (ii) medical or dental insurance for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws. As used in this subdivision, "earned income" means the same as that term is defined in § 32(c) of the Internal Revenue Code. The deduction shall not be allowed for any portion of such premiums paid for which the individual has (a) been reimbursed, (b) claimed a deduction for federal income tax purposes, (c) claimed a deduction or subtraction under another provision of this section, or (d) claimed a federal income tax

credit or any income tax credit pursuant to this chapter.

15. For taxable years beginning on and after January 1, 2018, 20 percent of business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code. For purposes of this subdivision, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

16. For taxable years beginning on and after January 1, 2019, the actual amount of real and personal property taxes imposed by the Commonwealth or any other taxing jurisdiction not otherwise deducted solely on account of the dollar limitation imposed on individual deductions by § 164(b)(6)(B) of the Internal Revenue Code.

17. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to \$100,000 of the amount that is not deductible when computing federal adjusted gross income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

**§ 58.1-402. Virginia taxable income.**

A. For purposes of this article, Virginia taxable income for a taxable year means the federal taxable income and any other income taxable to the corporation under federal law for such year of a corporation adjusted as provided in subsections B, C, D, E, G, and H.

For a regulated investment company and a real estate investment trust, such term means the "investment company taxable income" and "real estate investment trust taxable income," respectively, to which shall be added in each case any amount of capital gains and any other income taxable to the corporation under federal law which shall be further adjusted as provided in subsections B, C, D, E, G, and H.

B. There shall be added to the extent excluded from federal taxable income:

1. Interest, less related expenses to the extent not deducted in determining federal taxable income, on obligations of any state other than Virginia, or of a political subdivision of any such other state unless created by compact or agreement to which the Commonwealth is a party;

2. Interest or dividends, less related expenses to the extent not deducted in determining federal taxable income, on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

3. [Repealed.]

4. The amount of any net income taxes and other taxes, including franchise and excise taxes, which are based on, measured by, or computed with reference to net income, imposed by the Commonwealth or any other taxing jurisdiction, to the extent deducted in determining federal taxable income;

5. Unrelated business taxable income as defined by § 512 of the Internal Revenue Code;

6. [Repealed.]

7. The amount required to be included in income for the purpose of computing the partial tax on an accumulation distribution pursuant to § 667 of the Internal Revenue Code;

8. a. For taxable years beginning on and after January 1, 2004, the amount of any intangible expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the intangible expenses and costs if one of the following applies:

(1) The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;

(2) The related member derives at least one-third of its gross revenues from the licensing of intangible property to parties who are not related members, and the transaction giving rise to the expenses and costs between the corporation and the related member was made at rates and terms comparable to the rates and terms of agreements that the related member has entered into with parties who are not related members for the licensing of intangible property; or

(3) The corporation can establish to the satisfaction of the Tax Commissioner that the intangible expenses and costs meet both of the following: (i) the related member during the same taxable year directly or indirectly paid, accrued or incurred such portion to a person who is not a related member, and (ii) the transaction giving rise to the intangible expenses and costs between the corporation and the related member did not have as a principal purpose the avoidance of any portion of the tax due under this chapter.

b. A corporation required to add to its federal taxable income intangible expenses and costs pursuant to subdivision a may petition the Tax Commissioner, after filing the related income tax return for the taxable year and remitting to the Tax Commissioner all taxes,

penalties, and interest due under this article for such taxable year including tax upon any amount of intangible expenses and costs required to be added to federal taxable income pursuant to subdivision a, to consider evidence relating to the transaction or transactions between the corporation and a related member or members that resulted in the corporation's taxable income being increased, as required under subdivision a, for such intangible expenses and costs.

If the corporation can demonstrate to the Tax Commissioner's sole satisfaction, by clear and convincing evidence, that the transaction or transactions between the corporation and a related member or members resulting in such increase in taxable income pursuant to subdivision a had a valid business purpose other than the avoidance or reduction of the tax due under this chapter, the Tax Commissioner shall permit the corporation to file an amended return. For purposes of such amended return, the requirements of subdivision a shall not apply to any transaction for which the Tax Commissioner is satisfied (and has identified) that the transaction had a valid business purpose other than the avoidance or reduction of the tax due under this chapter. Such amended return shall be filed by the corporation within one year of the written permission granted by the Tax Commissioner and any refund of the tax imposed under this article shall include interest at a rate equal to the rate of interest established under § 58.1-15 and such interest shall accrue as provided under § 58.1-1833. However, upon the filing of such amended return, any related member of the corporation that subtracted from taxable income amounts received pursuant to subdivision C 21 shall be subject to the tax imposed under this article on that portion of such amounts for which the corporation has filed an amended return pursuant to this subdivision. In addition, for such transactions identified by the Tax Commissioner herein by which he has been satisfied by clear and convincing evidence, the Tax Commissioner may permit the corporation in filing income tax returns for subsequent taxable years to deduct the related intangible expenses and costs without making the adjustment under subdivision a.

The Tax Commissioner may charge a fee for all direct and indirect costs relating to the review of any petition pursuant to this subdivision, to include costs necessary to secure outside experts in evaluating the petition. The Tax Commissioner may condition the review of any petition pursuant to this subdivision upon payment of such fee.

No suit for the purpose of contesting any action of the Tax Commissioner under this subdivision shall be maintained in any court of this Commonwealth.

c. Nothing in subdivision B 8 shall be construed to limit or negate the Department's authority under § 58.1-446;

9. a. For taxable years beginning on and after January 1, 2004, the amount of any interest expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the interest expenses and costs, if:

(1) The related member has substantial business operations relating to interest-generating activities, in which the related member pays expenses for at least five full-time employees who maintain, manage, defend or are otherwise responsible for operations or administration relating to the interest-generating activities; and

(2) The interest expenses and costs are not directly or indirectly for, related to or in connection with the direct or indirect acquisition, maintenance, management, sale, exchange, or disposition of intangible property; and

(3) The transaction giving rise to the expenses and costs between the corporation and the related member has a valid business purpose other than the avoidance or reduction of taxation and payments between the parties are made at arm's length rates and terms; and

(4) One of the following applies:

(i) The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;

(ii) Payments arise pursuant to a pre-existing contract entered into when the parties were not related members provided the payments continue to be made at arm's length rates and terms;

(iii) The related member engages in transactions with parties other than related members that generate revenue in excess of \$2 million annually; or

(iv) The transaction giving rise to the interest payments between the corporation and a related member was done at arm's length rates and terms and meets any of the following: (a) the related member uses funds that are borrowed from a party other than a related member or that are paid, incurred or passed-through to a person who is not a related member; (b) the debt is part of a regular and systematic funds management or portfolio investment activity conducted by the related member, whereby the funds of two or more related members are aggregated for the purpose of achieving economies of scale, the internal financing of the active business operations of members, or the benefit of centralized management of funds; (c) financing the expansion of the business operations; or (d) restructuring the debt of related members, or the pass-through of acquisition-related indebtedness to related members.

b. A corporation required to add to its federal taxable income interest expenses and costs pursuant to subdivision a may petition

the Tax Commissioner, after filing the related income tax return for the taxable year and remitting to the Tax Commissioner all taxes, penalties, and interest due under this article for such taxable year including tax upon any amount of interest expenses and costs required to be added to federal taxable income pursuant to subdivision a, to consider evidence relating to the transaction or transactions between the corporation and a related member or members that resulted in the corporation's taxable income being increased, as required under subdivision a, for such interest expenses and costs.

If the corporation can demonstrate to the Tax Commissioner's sole satisfaction, by clear and convincing evidence, that the transaction or transactions between the corporation and a related member or members resulting in such increase in taxable income pursuant to subdivision a had a valid business purpose other than the avoidance or reduction of the tax due under this chapter and that the related payments between the parties were made at arm's length rates and terms, the Tax Commissioner shall permit the corporation to file an amended return. For purposes of such amended return, the requirements of subdivision a shall not apply to any transaction for which the Tax Commissioner is satisfied (and has identified) that the transaction had a valid business purpose other than the avoidance or reduction of the tax due under this chapter and that the related payments between the parties were made at arm's length rates and terms. Such amended return shall be filed by the corporation within one year of the written permission granted by the Tax Commissioner and any refund of the tax imposed under this article shall include interest at a rate equal to the rate of interest established under § 58.1-15 and such interest shall accrue as provided under § 58.1-1833. However, upon the filing of such amended return, any related member of the corporation that subtracted from taxable income amounts received pursuant to subdivision C 21 shall be subject to the tax imposed under this article on that portion of such amounts for which the corporation has filed an amended return pursuant to this subdivision. In addition, for such transactions identified by the Tax Commissioner herein by which he has been satisfied by clear and convincing evidence, the Tax Commissioner may permit the corporation in filing income tax returns for subsequent taxable years to deduct the related interest expenses and costs without making the adjustment under subdivision a.

The Tax Commissioner may charge a fee for all direct and indirect costs relating to the review of any petition pursuant to this subdivision, to include costs necessary to secure outside experts in evaluating the petition. The Tax Commissioner may condition the review of any petition pursuant to this subdivision upon payment of such fee.

No suit for the purpose of contesting any action of the Tax Commissioner under this subdivision shall be maintained in any court of this Commonwealth.

c. Nothing in subdivision B 9 shall be construed to limit or negate the Department's authority under § 58.1-446.

d. For purposes of subdivision B 9:

"Arm's-length rates and terms" means that (i) two or more related members enter into a written agreement for the transaction, (ii) such agreement is of a duration and contains payment terms substantially similar to those that the related member would be able to obtain from an unrelated entity, (iii) the interest is at or below the applicable federal rate compounded annually for debt instruments under § 1274(d) of the Internal Revenue Code that was in effect at the time of the agreement, and (iv) the borrower or payor adheres to the payment terms of the agreement governing the transaction or any amendments thereto.

"Valid business purpose" means one or more business purposes that alone or in combination constitute the motivation for some business activity or transaction, which activity or transaction improves, apart from tax effects, the economic position of the taxpayer, as further defined by regulation.

10. a. For taxable years beginning on and after January 1, 2009, the amount of dividends deductible under §§ 561 and 857 of the Internal Revenue Code by a Captive Real Estate Investment Trust (REIT). For purposes of this subdivision, a REIT is a Captive REIT if:

(1) It is not regularly traded on an established securities market;

(2) More than 50 percent of the voting power or value of beneficial interests or shares of which, at any time during the last half of the taxable year, is owned or controlled, directly or indirectly, by a single entity that is (i) a corporation or an association taxable as a corporation under the Internal Revenue Code; and (ii) not exempt from federal income tax pursuant to § 501(a) of the Internal Revenue Code; and

(3) More than 25 percent of its income consists of rents from real property as defined in § 856(d) of the Internal Revenue Code.

b. For purposes of applying the ownership test of subdivision 10 a (2), the following entities shall not be considered a corporation or an association taxable as a corporation:

(1) Any REIT that is not treated as a Captive REIT;

(2) Any REIT subsidiary under § 856 of the Internal Revenue Code other than a qualified REIT subsidiary of a Captive REIT;

(3) Any Listed Australian Property Trust, or an entity organized as a trust, provided that a Listed Australian Property Trust owns or controls, directly or indirectly, 75 percent or more of the voting or value of the beneficial interests or shares of such trust; and

(4) Any Qualified Foreign Entity.



c. For purposes of subdivision B 10, the constructive ownership rules prescribed under § 318(a) of the Internal Revenue Code, as modified by § 856(d)(5) of the Internal Revenue Code, shall apply in determining the ownership of stock, assets, or net profits of any person.

d. For purposes of subdivision B 10:

"Listed Australian Property Trust" means an Australian unit trust registered as a Management Investment Scheme, pursuant to the Australian Corporations Act, in which the principal class of units is listed on a recognized stock exchange in Australia and is regularly traded on an established securities market.

"Qualified Foreign Entity" means a corporation, trust, association or partnership organized outside the laws of the United States and that satisfies all of the following criteria:

(1) At least 75 percent of the entity's total asset value at the close of its taxable year is represented by real estate assets, as defined in § 856(c)(5)(B) of the Internal Revenue Code, thereby including shares or certificates of beneficial interest in any REIT, cash and cash equivalents, and U.S. Government securities;

(2) The entity is not subject to a tax on amounts distributed to its beneficial owners, or is exempt from entity level tax;

(3) The entity distributes, on an annual basis, at least 85 percent of its taxable income, as computed in the jurisdiction in which it is organized, to the holders of its shares or certificates of beneficial interest;

(4) The shares or certificates of beneficial interest of such entity are regularly traded on an established securities market or, if not so traded, not more than 10 percent of the voting power or value in such entity is held directly, indirectly, or constructively by a single entity or individual; and

(5) The entity is organized in a country that has a tax treaty with the United States.

e. For taxable years beginning on or after January 1, 2016, for purposes of subdivision B 10, any voting power or value of the beneficial interests or shares in a REIT that is held in a segregated asset account of a life insurance corporation as described in § 817 of the Internal Revenue Code shall not be taken into consideration when determining if such REIT is a Captive REIT.

11. For taxable years beginning on or after January 1, 2016, to the extent that tax credit is allowed for the same donation pursuant to § 58.1-439.12:12, any amount claimed as a federal income tax deduction for such donation under § 170 of the Internal Revenue Code, as amended or renumbered.

C. There shall be subtracted to the extent included in and not otherwise subtracted from federal taxable income:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States including, but not limited to, stocks, bonds, treasury bills, and treasury notes, but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations of this Commonwealth or of any political subdivision or instrumentality of this Commonwealth.

3. Dividends upon stock in any domestic international sales corporation, as defined by § 992 of the Internal Revenue Code, 50 percent or more of the income of which was assessable for the preceding year, or the last year in which such corporation has income, under the provisions of the income tax laws of the Commonwealth.

4. The amount of any refund or credit for overpayment of income taxes imposed by this Commonwealth or any other taxing jurisdiction.

5. Any amount included therein by the operation of the provisions of § 78 of the Internal Revenue Code (foreign dividend gross-up).

6. The amount of wages or salaries eligible for the federal Targeted Jobs Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.

7. Any amount included therein by the operation of § 951 of the Internal Revenue Code (subpart F income) or, for taxable years beginning on and after January 1, 2018, § 951A of the Internal Revenue Code (Global Intangible Low-Taxed Income).

8. Any amount included therein which is foreign source income as defined in § 58.1-302.

9. [Repealed.]

10. The amount of any dividends received from corporations in which the taxpaying corporation owns 50 percent or more of the voting stock.

11. [Repealed.]

12, 13. [Expired.]

14. For taxable years beginning on or after January 1, 1995, the amount for "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code.

15. For taxable years beginning on or after January 1, 2000, the total amount actually contributed in funds to the Virginia Public School Construction Grants Program and Fund established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1.

16. For taxable years beginning on or after January 1, 2000, but before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

17. For taxable years beginning on and after January 1, 2001, any amount included therein with respect to § 58.1-440.1.

18. For taxable years beginning on and after January 1, 1999, income received as a result of (i) the "Master Settlement Agreement," as defined in § 3.2-3100; and (ii) the National Tobacco Grower Settlement Trust dated July 19, 1999, by (a) tobacco farming businesses; (b) any business holding a tobacco marketing quota, or tobacco farm acreage allotment, under the Agricultural Adjustment Act of 1938; or (c) any business having the right to grow tobacco pursuant to such a quota allotment.

19, 20. [Repealed.]

21. For taxable years beginning on and after January 1, 2004, any amount of intangible expenses and costs or interest expenses and costs added to the federal taxable income of a corporation pursuant to subdivision B 8 or B 9 shall be subtracted from the federal taxable income of the related member that received such amount if such related member is subject to Virginia income tax on the same amount.

22. For taxable years beginning on and after January 1, 2009, any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. For taxable years beginning on and after January 1, 2009, any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. For taxable years beginning on or after January 1, 2011, any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income must be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided the business has its principal office or facility in the Commonwealth and less than \$3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment must be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision C 24 for the same investment.

b. As used in this subdivision 25:

"Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment. "Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four

years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a similar field of study. The Department may require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

26. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision C 24 or 25 for the same investment.

b. As used in this subdivision 26:

"Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust. In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

27. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

28. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to \$100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

D. For taxable years beginning on and after January 1, 2006, there shall be subtracted from federal taxable income contract payments to a producer of quota tobacco or a tobacco quota holder as provided under the American Jobs Creation Act of 2004 (P.L. 108-357) as follows:

1. If the payment is received in installment payments, then the recognized gain, including any gain recognized in taxable year 2005, may be subtracted in the taxable year immediately following the year in which the installment payment is received.

2. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

E. Adjustments to federal taxable income shall be made to reflect the transitional modifications provided in § 58.1-315.

F. Notwithstanding any other provision of law, the income from any disposition of real property which is held by the taxpayer for sale to customers in the ordinary course of the taxpayer's trade or business, as defined in § 453(1)(1)(B) of the Internal Revenue Code, of property made on or after January 1, 2009, may, at the election of the taxpayer, be recognized under the installment method described under § 453 of the Internal Revenue Code, provided that (i) the election relating to the dealer disposition of the property has been made on or before the due date prescribed by law (including extensions) for filing the taxpayer's return of the tax imposed under this chapter for the taxable year in which the disposition occurs, and (ii) the dealer disposition is in accordance with restrictions or conditions established by the Department, which shall be set forth in guidelines developed by the Department. Along with such restrictions or conditions, the guidelines shall also address the recapture of such income under certain circumstances. The development of the guidelines shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.).

G. For taxable years beginning on and after January 1, 2018, there shall be deducted to the extent included in and not otherwise subtracted from federal taxable income 20 percent of business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code. For purposes of this subsection, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

H. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, there shall be deducted to the extent not otherwise subtracted from federal taxable income up to \$100,000 of the amount that is not deductible when computing federal taxable income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

**12. § 1. That the General Assembly finds that Esther Thorne (Ms. Thorne) spent more than six years in prison within the**

Virginia Department of Corrections for crimes she did not commit. On June 1, 2020, the Virginia Court of Appeals found that Ms. Thorne had proven her actual innocence, vacated her convictions, and issued a writ of actual innocence based on non-biological evidence, and her record was subsequently expunged.

§ 2. That there is hereby appropriated from the general fund of the state treasury the sum of \$321,587 for the relief of Esther Thorne, to be paid by check issued by the State Treasurer on warrant of the Comptroller upon execution of a release of all claims Ms. Thorne may have against the Commonwealth or any agency, instrumentality, office, employee, or political subdivision in connection with the aforesaid occurrence.

The compensation, subject to the execution of the release described herein, shall be paid as a single lump sum of \$321,587 to be paid to Ms. Thorne by check issued by the State Treasurer on warrant of the Comptroller within 60 days immediately following the execution of such release.

§ 3. That Ms. Thorne shall be entitled to receive career and technical training within the Virginia Community College System free of tuition charges, up to a maximum of \$10,000. The cost for the tuition benefit shall be paid by the community college at which the career or technical training is provided. The tuition benefit provided by this section shall expire on January 1, 2025.

§ 4. That any amount already paid to Ms. Thorne as a transition assistance grant pursuant to subsection C of § 8.01-195.11 of the Code of Virginia, shall be deducted from any award received pursuant to § 1 of this act.

§ 5. That the provisions of § 8.01-195.12 of the Code of Virginia shall apply to any compensation awarded under this act.

13. That § 34-28.3 of the Code of Virginia is amended and reenacted as follows:

**§ 34-28.3. Emergency relief payments exempt.**

A. For the purposes of this section, "emergency relief payment" means a 2020 recovery rebate for individuals and qualifying children provided pursuant to § 2201 of the federal Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136) or any future federal payments or rebates provided directly to individuals for economic relief or stimulus due to the COVID-19 pandemic.

B. All emergency relief payments paid to individuals shall be automatically exempt from the creditor process. Any financial institution, as defined by § 6.2-100, receiving such payments directly from the federal government shall exempt such payments from the creditor process if (i) the payment is marked by the federal government as an "emergency relief payment" or includes some other unique identifier that is reasonably sufficient to allow the financial institution to identify the funds as an emergency relief payment or (ii) the federal government or account holder receiving the emergency relief payment gives notice to the financial institution of such payment. In exempting emergency relief payments on deposit from the creditor process, a financial institution shall look back two months preceding the date of receipt of service of the creditor process. The financial institution shall perform a one-time account review separately for each account in the name of an account holder who is subject to the creditor process without consideration for any other attributes of the account or the creditor process, including (a) the presence of other funds, from whatever source, that may be commingled in the account with funds from an emergency relief payment; (b) the existence of a co-owner on the account; and (c) the balance in the account, provided the balance is above zero dollars on the date of account review. After conducting the account review, a financial institution shall exempt from the creditor process the lesser of the sum of all posted emergency relief payments to an account between the close of business on the beginning date of the lookback period and the open of business on the ending date of the lookback period or the balance in an account when the account review is performed.

If the creditor process involves a court return date, such as a garnishment, and requires a continued hold on the account, including any deposits made up to the return date, then if an emergency relief payment is deposited into an account after the completion of the account review but before the creditor process or garnishment return date and the account holder notifies the financial institution that the deposit of an emergency relief payment has been made, the financial institution must review the account. If the financial institution verifies that the deposited funds are exempt under this section, then such deposited funds shall be treated as exempt from the creditor process or garnishment. This second account review shall begin within two business days of receiving the notice from the account holder and shall cover the period from the start of business on the date of the completion of the previous account review to the end of business on the date of the notification from the account holder. For any creditor process that requires a continued hold, such as a garnishment where the account hold must continue until the garnishment return date, the account holder may access exempt funds by withdrawal as permitted by the financial institution.

In its answer to the creditor process, the financial institution shall state the amount of account funds that are being held pursuant to the creditor process and the amount of account funds that were treated as exempt under this section.

A financial institution that makes a good faith effort to comply with the requirements set forth herein shall not be subject to liability or regulatory action under any state law, regulation, court or other order, or regulatory interpretation for actions concerning any emergency relief payments.

Emergency relief payments shall be exempt from the creditor process even if deposited into an account with a financial institution or other organization accepting deposits and thereby commingled with other funds.

For the purposes of this section, no such exemption shall extend to child support, spousal support, or criminal restitution orders.

C. If a financial institution does not set aside an emergency relief payment as exempt from the creditor process, then the accountholder receiving such payment must claim the exemption within the time limits prescribed by subsection B of § 34-17 and in the manner prescribed under § 8.01-512.4.

**14. That the provisions of Item 479.10, paragraphs I.1. and I.2. of Chapter 552, 2021 Acts of Assembly, Special Session I, are no longer effective upon signage of this act.**

**15. That the provisions of § 18.2-422 of the Code of Virginia shall not apply to a person wearing a mask to prevent the spread of COVID-19.**

**16.a. That upon enactment of this act and through June 30, 2022, no landlord shall terminate a residential tenancy, or take any action to obtain possession of a dwelling unit, for nonpayment of rent, if the eligible tenant has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship during or due, directly or indirectly, to the coronavirus pandemic, except as follows:**

**1. If rent is unpaid when due, or if a payment under the terms of a payment plan is unpaid when due, the landlord shall, pursuant to § 55.1-1202, Code of Virginia, serve a written notice on the tenant that informs the tenant of the Virginia Rent Relief Program and provides the website address and statewide telephone number for that program. The written notice shall also provide information on how to reach 2-1-1 Virginia to determine whether there are any other available federal, state and local rent relief programs.**

**2. The written notice shall also inform the tenant that the owner, landlord, or owner's licensed agent shall apply for rental assistance on the tenant's behalf within 14 days of serving the notice on the tenant, unless the tenant pays in full, enters into a payment plan or informs the landlord that they have already applied for rental assistance. The landlord shall apply for rental assistance on behalf of the tenant no later than 14 days after serving the written notice on the tenant, unless they receive the full amount owed by the tenant or confirmation from the tenant that the tenant has applied for rental assistance before the 14th day, or they have entered into a payment plan with the tenant. If the tenant has applied for rental assistance, the landlord shall cooperate with the tenant's application, by providing all information and documentation required to complete the application, including but not limited to the W-9 form and any supporting affidavits. In an initial application, if the landlord or the tenant does not receive written approval from the Virginia Rent Relief Program or any other federal, state, or local rent relief program within forty-five days of when a completed application for assistance is made by the tenant or the landlord, the landlord may proceed to obtain possession of the premise as provided in § 55.1-1251. For any subsequent application, if the landlord or tenant does not receive written approval from the Virginia Rent Relief Program or any other federal, state, or local rent relief program within fourteen days of submission of the subsequent completed application, the landlord may proceed to obtain possession of the premises as provided in § 55.1-1251. If a tenant who has not paid in full or entered into a payment plan with the landlord within 14 days after the written notice is served refuses to apply for rental assistance and also refuses to cooperate with the landlord in providing information and documentation required to complete the application made by the landlord, or if such tenant is determined ineligible for rental assistance, or there are no longer funds available through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) and from the American Rescue Plan Act of 2021 (ARPA) (P.L. 117-2) for rental assistance through the Virginia Rent Relief program, the landlord may take action to obtain possession of the tenant's dwelling unit as provided in § 55.1-1251, Code of Virginia.**

**b. 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.**

**c. 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.**

**d. 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.**

**e. Nothing in this section shall void any judgment for possession validly obtained by a landlord prior to the effective date of this act; however, a landlord shall not initiate, maintain, or advance any legal process to obtain possession of a dwelling unit for non-payment of the rent unless the landlord complies with the provisions of this section.**

**f. Notwithstanding any other language to the contrary, should the Governor declare 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, and if that declaration specifically provides that the eighth enactment of Chapter 552 of the Acts of Assembly Special Session I shall supersede the language set forth in enactment sixteen of this act then this sixteenth enactment shall not be effective so long as such a declared state of emergency remains in effect.**

**17.a. That notwithstanding any other provision of law, any permanent or interim legislative study or advisory commission, committee, or subcommittee, other than a standing committee of the General Assembly to which bills and resolutions are referred during a legislative session pursuant to Article IV, Section 11 of the Constitution of Virginia, or any executive**

advisory board or council may conduct a meeting by electronic communications means without a quorum of the public body physically assembled at one location if the meeting is being held solely to receive presentations, updates, public comment, or conduct other forms of information gathering. If a quorum is not physically assembled, the commission, committee, subcommittee, board, or council shall not take any votes or make any formal recommendations at such meeting.

b. Any entity meeting in accordance with this enactment shall comply with all other requirements for conducting a meeting by electronic means set forth in subsection C of § 2.2-3708.2 of the Code of Virginia.

c. Should the Governor declare 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 provisions of Item 4-0.01.g. of Chapter 552 of the 2021 Special Session I shall govern the conduct of meetings.

18.a. That no institution or an agent thereof; athletic association; athletic conference; or other organization with authority over intercollegiate athletics shall:

1. Provide a prospective or current student-athlete with compensation for the use of his or her name, image, or likeness;
  2. Prohibit or prevent a student-athlete from earning compensation for the use of his or her name, image, or likeness, except as set forth in this subsection;
  3. Prohibit or prevent a student-athlete from obtaining professional representation by an athlete agent licensed pursuant to Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1 of the Code of Virginia, or legal representation by an attorney licensed to practice law in the Commonwealth, for issues related to name, image, or likeness;
  4. Declare ineligible for competition or reduce, cancel or not renew an athletic scholarship because a student-athlete earns compensation for the use of his or her name, image, or likeness; or
  5. Prevent an institution from participating in intercollegiate athletics because a student-athlete earns compensation for the use of his or her name, image or likeness, or obtains representation for related issues.
- b. An institution may prohibit a student-athlete from earning compensation for the use of his or her name, image or likeness while the individual is engaged in academic, official team, or department activities, including competition, practice, travel, academic services, community service, and promotional activities.
- c. An institution may prohibit a student-athlete from using his or her name, image or likeness to earn compensation if the proposed use conflicts with an existing agreement between the institution and a third party.
- d. A student-athlete shall be prohibited from earning compensation for the use of his or her name, image or likeness in connection with any of the following:
1. Casinos or gambling, including sports betting;
  2. Alcohol products;
  3. Adult entertainment;
  4. Cannabis, cannabinoids, cannabidiol, or other derivatives;
  5. Dangerous or controlled substances;
  6. Performance enhancing drugs or substances (e.g., steroids, human growth hormone);
  7. Drug paraphernalia;
  8. Tobacco and electronic smoking products and devices; and
  9. Weapons, including firearms and ammunition.
- e. Any agreement entered into by a student athlete that provides compensation for the use of a student-athlete's name, image, or likeness shall be disclosed prior to execution of the agreement by such student-athlete in a manner designated by the institution the student-athlete is attending. If a student-athlete discloses a potential agreement that conflicts with an existing institutional agreement, the institution shall disclose the relevant terms of the conflicting agreement to the student-athlete.
- f. A student-athlete shall not earn compensation for the use of his or her name, image, or likeness in exchange for attendance at an institution or pay-for-performance.
- g. A student-athlete shall not use an institution's facilities or uniforms, or the institution's intellectual property, including logos, indicia, registered and unregistered trademarks, or products protected by copyright, unless otherwise permitted by the institution.

**h. For the purposes of this subsection:**

“Institution” means a private institution of higher education, associate-degree-granting public institution of higher education, or baccalaureate public institution of higher education.

"Pay-for-performance" means payments and compensation provided to student-athletes that is contingent on the student athlete's achieving certain performance goals or objectives.

“Student-athlete” means an individual enrolled at an institution who participates in intercollegiate athletics.

19. That § 38.2-3461, § 38.2-3462, § 38.2-3463, § 38.2-3464 shall not apply to a nonprofit group model health maintenance organization. "Nonprofit group model health maintenance organization" means a health maintenance organization authorized by Title 38.2, Chapter 43 that:

(i) Is exempt from taxation under § 501(c)(3) of the Internal Revenue Code;

(ii) Contracts with one multispecialty group of physicians who are employed by and shareholders of the multispecialty group; and

(iii) Provides and arranges for the provision of physician services to patients at medical facilities operated by the health maintenance organization.

20. That for the purposes of the Virginia Overtime Wage Act § 40.1-29.2 the terms “Wages” and “Pay” shall also mean overtime compensatory time in lieu of wages for overtime pay by public agencies as provided by the Fair Labor Standards Act, 29 U.S.C. §207(o), and the term "Employee" shall not include an individual described in 29 U.S.C. §203(e)(4). In addition to the provisions of subsection D of § 40.1-29.2 of the Code of Virginia, an employer may assert an exemption to the overtime requirements for employees who meet any of the exemptions set forth in 29 U.S.C. §213 (a). Employees covered under 29 U.S.C. §213(b)(10)(A) shall be exempt from the overtime requirements set out in Code of Virginia § 40.1-29.2.

21. That notwithstanding Item C-72, Chapter 552, 2021 Acts of Assembly, Special Session I, up to \$25,000,000 of the \$40,000,000 in Virginia Public Building Authority debt authorized in Item C-72, Chapter 552, 2021 Acts of Assembly, Special Session I, may be used by the Virginia Port Authority to fund capital projects for infrastructure improvements necessary to improve the Portsmouth Marine Terminal to handle loading in and out of large, heavy offshore wind components and serve as an offshore wind hub; however, such debt may only be issued if the Secretary of Finance, the Secretary of Transportation, and the Virginia Port Authority Board of Commissioners each approve the capital project or projects. *The Virginia Port Authority shall ensure the financial obligations from the \$40,000,000 of debt authorized by in Item C-72, of this act to a turbine and turbine generator manufacturing company in connection with its location at Portsmouth Marine Terminal are satisfied.*

22. That a Phase II Utility shall be prohibited from disconnecting service for non-payment of bills or fees, from the effective date of this act until March 1, 2022, for any jurisdictional residential customer who has previously demonstrated they received federal, state, nonprofit entity, or utility payment assistance at any time between January 1, 2019 and July 31, 2021, or as having a qualified medical account designation with the utility as of July 31, 2021, or as certified by the Virginia Department of Social Services, which shall work with the utility to provide such certification, as being a recipient of Supplemental Nutrition Assistance Program (SNAP); Women, Infants, and Children Program (WIC); or Temporary Assistance for Needy Families (TANF) benefits at any time between January 1, 2019 and July 31, 2021.

23. Within 30 days of the effective date of this act, the Department of Motor Vehicles shall submit a report to the Governor and the General Assembly providing a detailed operating plan for serving walk-in customers at existing Customer Service Centers in addition to the current appointment reservation system. Within 30 days of submission of the operating plan, the Commissioner of the Department of Motor Vehicles shall ensure that all Customer Service Centers are open for in-person walk-in services in accordance with the operating plan.

24. That § 58.1-301 of the Code of Virginia is amended and reenacted as follows:

**§ 58.1-301. Conformity to Internal Revenue Code.**

A. Any term used in this chapter shall have the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required.

B. Any reference in this chapter to the laws of the United States relating to federal income taxes shall mean the provisions of the Internal Revenue Code of 1954, and amendments thereto, and other provisions of the laws of the United States relating to federal income taxes, as they existed on ~~December 31, 2020~~; *December 31, 2021*, except for:

1. The special depreciation allowance for certain property provided for under §§ 168(k), 168(l), 168(m), 1400L, and 1400N of the Internal Revenue Code;

2. The carry-back of certain net operating losses for five years under § 172(b)(1)(H) of the Internal Revenue Code;
3. The original issue discount on applicable high yield discount obligations under § 163(e)(5)(F) of the Internal Revenue Code;
4. The deferral of certain income under § 108(i) of the Internal Revenue Code. For Virginia income tax purposes, income from the discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument" (as defined under § 108(i) of the Internal Revenue Code) reacquired in the taxable year shall be fully included in the taxpayer's Virginia taxable income for the taxable year, unless the taxpayer elects to include such income in the taxpayer's Virginia taxable income ratably over a three-taxable-year period beginning with taxable year 2009 for transactions completed in taxable year 2009, or over a three-taxable-year period beginning with taxable year 2010 for transactions completed in taxable year 2010 on or before April 21, 2010. For purposes of such election, all other provisions of § 108(i) of the Internal Revenue Code shall apply mutatis mutandis. No other deferral shall be allowed for income from the discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument";
5. For taxable years beginning on and after January 1, 2019, the suspension of the overall limitation on itemized deductions under § 68(f) of the Internal Revenue Code;
6. For taxable years beginning on and after January 1, 2017, but before January 1, 2018, and for taxable years beginning on and after January 1, 2019, the 7.5 percent of federal adjusted gross income threshold set forth in § 213(a) of the Internal Revenue Code that is used for purposes of computing the deduction allowed for expenses for medical care pursuant to § 213 of the Internal Revenue Code. For such taxable years, the threshold utilized for Virginia income tax purposes to compute the deduction allowed for expenses for medical care pursuant to § 213 of the Internal Revenue Code shall be 10 percent of federal adjusted gross income;
7. The provisions of §§ 2303(a) and 2303(b) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to the net operating loss limitation and carryback;
8. The provisions of § 2304(a) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to a loss limitation applicable to taxpayers other than corporations;
9. The provisions of § 2306 of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to the limitation on business interest; and
10. For taxable years beginning before January 1, 2021, the provisions of §§ 276(a), 276(b)(2), 276(b)(3), 278(a)(2), 278(a)(3), 278(b)(2), 278(b)(3), 278(c)(2), 278(c)(3), 278(d)(2), and 278(d)(3) of the federal Consolidated Appropriations Act, P.L. 116-260 (2020), and §§ 9673(2), 9673(3), 9672(2), and 9672(3) of the federal American Rescue Plan Act, P.L. 117-2 (2021) related to deductions, tax attributes, and basis increases for certain loan forgiveness and other business financial assistance.

The Department of Taxation is hereby authorized to develop procedures or guidelines for implementation of the provisions of this section, which procedures or guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

**25. That § 58.1-339.8 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-339.8. Income tax credit for low-income taxpayers.**

A. As used in this section, unless the context requires otherwise:

"Family Virginia adjusted gross income" means the combined Virginia adjusted gross income of an individual, the individual's spouse, and any person claimed as a dependent on the individual's or his spouse's income tax return for the taxable year.

"Household" means an individual, or in the case of married persons, an individual and his spouse, regardless of whether or not the individual and his spouse file combined or separate Virginia individual income tax returns.

"Poverty guidelines" means the poverty guidelines for the 48 contiguous states and the District of Columbia updated annually in the Federal Register by the U.S. Department of Health and Human Services under the authority of § 673(2) of the Omnibus Budget Reconciliation Act of 1981.

"Virginia adjusted gross income" has the same meaning as the term is defined in § 58.1-321.

B. 1. For taxable years beginning on and after January 1, 2000, any individual or persons filing a joint return whose family Virginia adjusted gross income does not exceed 100 percent of the poverty guideline amount corresponding to a household of an equal number of persons as listed in the poverty guidelines published during such taxable year, shall be allowed a *nonrefundable* credit against the tax levied pursuant to § 58.1-320 in an amount equal to \$300 each for the individual, the individual's spouse, and any person claimed as a dependent on the individual's or married individuals' income tax return for the taxable year. For any taxable year in which married individuals file separate Virginia income tax returns, the credit provided under this section shall be allowed against the tax for only one of such two tax returns. Additionally, the credit provided under this section shall not be allowed against such tax of a dependent of the individual or of married individuals.

2. For taxable years beginning on and after January 1, 2006, any individual or married individuals, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision B 1, claim a *nonrefundable*



credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 20 percent of the credit claimed by the individual or married individuals for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year. In no case shall a household be allowed a credit pursuant to this subdivision and subdivision B 1 or 3 for the same taxable year.

*3. For taxable years beginning on and after January 1, 2022, any individual or married persons, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision 1 or 2, claim a refundable credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 15 percent of the credit claimed by the individual or married persons for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year. The refundable credit shall be claimed on the Virginia income tax return and redeemed by the Tax Commissioner. In no case shall a household be allowed a credit pursuant to this subdivision and subdivision 1 or 2 for the same taxable year.*

For the purpose of this subdivision, "household" means an individual and, in the case of married individuals, the individual and his spouse regardless of whether or not the individual and his spouse file combined or separate Virginia individual income tax returns.

C. The amount of the credit ~~provided~~ claimed pursuant to ~~subsection~~ subdivision B 1 and B 2, or in the case of a nonresident or a person to which § 58.1-303 applies, subdivision B 3, for any taxable year shall not exceed the individual's or married individuals' Virginia income tax liability.

D. Notwithstanding any other provision of this section, no credit shall be allowed pursuant to subsection B in any taxable year in which the individual, the individual's spouse, or both, or any person claimed as a dependent on such individual's or married individuals' income tax return, claims one or any combination of the following on his or their income tax return for such taxable year:

1. The subtraction under subdivision 8 of § 58.1-322.02;
2. The subtraction under subdivision 15 of § 58.1-322.02;
3. The subtraction under subdivision 16 of § 58.1-322.02;
4. The deduction for the additional personal exemption for blind or aged taxpayers under subdivision 2 b of § 58.1-322.03; or
5. The deduction under subdivision 5 of § 58.1-322.03.

*26. That the provisions of the twenty-fifth enactment of this Act shall apply for taxable years beginning on and after January 1, 2022.*

~~24~~27. That this act is effective on its passage as provided in § 1-214 of the Code of Virginia.

~~25~~28. That the provisions of the first, second, third, fourth, sixth, seventh, eighth, twelfth, fourteenth, fifteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, and ~~twenty-fourth~~ *twenty-seventh* enactments of this act shall expire at midnight on June 30, 2022.

~~26~~29. That the provisions of the sixteenth enactment of this act shall expire at midnight on June 30, 2022 unless: 1) there are no funds available for the Virginia Rent Relief program from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L.116-136) and from the American Rescue Plan Act of 2021 (ARPA) (P.L. 117-2), or 2) the provisions of paragraph f. of the sixteenth enactment of this act becomes effective.

~~27~~30. That the provisions of the fifth, ninth, tenth, eleventh, and thirteenth, *twenty-fourth, twenty-fifth, and twenty-sixth* enactments of this act shall have no expiration date

---



---

**INDEX**


---



---

	<b>Page</b>
PART 1: OPERATING EXPENSES.....	4
PART 2: CAPITAL PROJECT EXPENSES.....	307
PART 3: MISCELLANEOUS.....	330
PART 4: GENERAL PROVISIONS.....	348

---



---

**Index, PART 1: OPERATING EXPENSES**


---

<b>Agency Name</b>	<b>Agency Code</b>	<b>Page</b>
Accounts Transfer Payments, Department of ( <b>DOATP</b> ).....	(162).....	128
Accounts, Department of ( <b>DOA</b> ).....	(151).....	126
Agriculture and Consumer Services, Department of ( <b>VDACS</b> ).....	(301).....	38
Attorney General and Department of Law ( <b>OAG</b> ).....	(141).....	19
Aviation, Department of ( <b>DOAV</b> ).....	(841).....	258
Behavioral Health and Developmental Services, Department of ( <b>DBHDS</b> ).....	(720).....	191
Central Appropriations ( <b>CA</b> ).....	(995).....	279
Children's Services Act ( <b>CSA</b> ).....	(200).....	142
Compensation Board ( <b>CB</b> ).....	(157).....	23
Conservation and Recreation, Department of ( <b>DCR</b> ).....	(199).....	230
Corrections, Department of ( <b>DOC</b> ).....	(799).....	239
Criminal Justice Services, Department of ( <b>DCJS</b> ).....	(140).....	240
Direct Aid to Public Education ( <b>DOE/ DAPE</b> ).....	(197).....	67
Division of Legislative Automated Systems ( <b>DLAS</b> ).....	(109).....	4
Division of Legislative Services ( <b>DLS</b> ).....	(107).....	5
Economic Development Incentive Payments ( <b>EDIP</b> ).....	(312).....	44
Education, Central Office Operations, Department of ( <b>DOE/ COO</b> ).....	(201).....	63
Elections, Department of ( <b>ELECT</b> ).....	(132).....	31
Emergency Management, Department of ( <b>DEM</b> ).....	(127).....	246
Environmental Quality, Department of ( <b>DEQ</b> ).....	(440).....	233
Fire Programs, Department of ( <b>DFP</b> ).....	(960).....	248
Grants to Localities ( <b>DBDHS/GL</b> ).....	(790).....	198
Health, Department of ( <b>VDH</b> ).....	(601).....	146
Housing and Community Development, Department of ( <b>DHCD</b> ).....	(165).....	48
Human Resource Management, Department of ( <b>DHRM</b> ).....	(129).....	28
In-State Undergraduate Tuition Moderation ( <b>ISUTM</b> ).....	(980).....	125
Joint Legislative Audit and Review Commission ( <b>JLARC</b> ).....	(110).....	7
Labor and Industry, Department of ( <b>DOLI</b> ).....	(181).....	58
Legislative Department Reversion Clearing Account ( <b>LDRCA</b> ).....	(102).....	11
Medical Assistance Services, Department of ( <b>DMAS</b> ).....	(602).....	151
Mental Health Treatment Centers ( <b>MHTC</b> ).....	(792).....	204

Motor Vehicles, Department of (DMV).....	(154).....	258
Secretary of Commerce and Trade (SCT).....	(192).....	44
Secretary of Health and Human Resources (SHHR).....	(188).....	142
Secretary of Labor (SL).....	(195).....	41
Secretary of Transportation (STO).....	(186).....	253
Social Services, Department of (DSS).....	(765).....	207
State Police, Department of (VSP).....	(156).....	249
Supreme Court (SUPCT).....	(111).....	14
Taxation, Department of (TAX).....	(161).....	130
Transportation, Department of (VDOT).....	(501).....	262
Treasury Board (TB).....	(155).....	135
University of Virginia (UVA/AD).....	(207).....	121
University of Virginia's College at Wise (UVA/CW).....	(246).....	122
Virginia Economic Development Partnership (VEDP).....	(310).....	60
Virginia Information Technologies Agency (VITA).....	(136).....	34

---

**Index, PART 2: CAPITAL PROJECT EXPENSES**

---

Agency Name	Agency Code	Page
Central Capital Outlay (CCO).....	(949).....	320
Christopher Newport University (CNU).....	(242).....	313
Conservation and Recreation, Department of (DCR).....	(199).....	317
Historic Resources, Department of (DHR).....	(423).....	318
Veterans Services, Department of (DVS).....	(912).....	319
Virginia Commonwealth University (VCU/AD).....	(236).....	315
Virginia Community College System (VCCS).....	(260).....	315
Virginia Military Institute (VMI).....	(211).....	316
Virginia Polytechnic Institute and State University (VPISU/ID).....	(208).....	316

---

**Index, PART 3: MISCELLANEOUS**

---

	Page
Accelerated Sales Tax.....	339
Adjustments and Modifications to Fees.....	346
Adjustments and Modifications to Tax Collections.....	339
Admissions Tax.....	341
Advances to Working Capital Funds.....	337
Annual Vehicle Registration Fee (\$4.25 for Life).....	346
Assessment of Electronic Summons Fee by Localities.....	347
Auxiliary Enterprise Investment Yields.....	338
Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education.....	338
Charges Against Working Capital Funds.....	337
Cigarette Tax, Tobacco Products Tax and Tax on Liquid Nicotine.....	345
Coronavirus Disease 2019 Administrative Tax Relief.....	345
Corporate Income Tax Informational Reporting.....	345

Deduction for Able Act Contributions..... 341

Discounts and Allowances..... 340

Disposition of Excess Fees Collected by Clerks of the Circuit Courts..... 339

Drivers License Reinstatement Fee..... 346

General Fund Deposits..... 338

Historic Preservation Tax Credit..... 344

Implementation of Chapter 3, Acts of Assembly of 2004, Special Session I..... 339

Individual Income Tax Rebate..... 346

Intangible Holding Company Addback..... 340

Interagency Transfers..... 336

Interfund Transfers..... 330

Land Preservation Tax Credit Claimed..... 344

Lines of Credit..... 337

Neighborhood Assistance Act Tax Credit..... 344

Payment by the State Treasurer..... 338

Payment of Auto Rental Tax to the General Fund..... 339

Procedures for Prepayment of Civil Penalties in An Executive Order..... 347

Provider Coverage Assessment..... 342

Provider Payment Rate Assessment..... 343

Recordation Tax Fee..... 346

Regional Fuels Tax..... 341

Retail Sales & Use Tax Exemption for Internet Service Providers..... 339

Retail Sales and Use Tax Exemption for Research for Federally Funded Research and Development Centers..... 341

Retaliatory Costs to other States Tax Credit..... 339

Sales Tax Commitment to Highway Maintenance and Operating Fund..... 340

Short-term Advance to the General Fund from Nongeneral Funds..... 336

Sunset Dates for Income Tax Credits and Sales and Use Tax Exemptions..... 341

Tobacco Tax Study..... 344

Transfers..... 330

Working Capital Funds and Lines of Credit..... 337

---

**Index, PART 4: GENERAL PROVISIONS**

---

**Page**

Allotments..... 355

Appropriation Increases..... 352

Appropriation Transfers..... 351

Appropriations..... 349

Assessment of Institutional Performance..... 397

Capital Projects..... 363

Charges..... 391

Conflict with other Laws..... 405

Deficit Authorization and Treasury Loans..... 360

Deficits..... 360

Delegation of Authority..... 377

Disposition of Surplus Real Property..... 378

Effective Date..... 405

Employee Benefits..... 390

Employee Compensation..... 380

Employee Training and Study..... 389

General..... 363

General Fund Revenue..... 358

Goods and Services..... 374

Governor..... 393

Higher Education Restructuring..... 397

Implement JLARC Recommendations..... 403

Indirect Costs..... 359

Lease, License or Use Agreements..... 378

Level II Authority..... 401

Level III Authority..... 403

Limited Adjustments of Appropriations..... 355

Local Governments..... 396

Long-term Leases..... 362

Manpower Control Program..... 392

Nongeneral Fund Revenues..... 355

Nonstate Agencies, Interstate Compacts and Organizational Memberships..... 377

Operating Policies..... 348

Operating Policies..... 348

Planning and Budgeting..... 368

Positions and Employment..... 380

Positions Governed by Chapters 933 and 943 of the 2006 Acts of Assembly..... 392

Prerequisites for Payment..... 349

Reporting Requirements..... 393

Revenues..... 355

Reversion of Appropriations and Reappropriations..... 354

Seat of Government Traffic and Pedestrian Safety..... 380

Selection of Applicants for Classified Positions..... 392

Semiconductor Manufacturing Performance Grant Programs..... 378

Services and Clients..... 372

Severability..... 405

Special Conditions and Restrictions on Expenditures..... 369

State Agencies..... 396

Statement of Financial Condition..... 405

Statewide Plans..... 392

Surplus Property Transfers for Economic Development..... 379

Third Party Transactions..... 371

Transactions with Individuals..... 369

Treasury Loans..... 361

Withholding of Spending Authority..... 349

**Index, CODE OF VIRGINIA SECTION REFERENCES**

**Title 1 GENERAL PROVISIONS**

<b>Section</b>	<b>Page</b>
§ 1-210.....	415,416
§ 1-214.....	405,435
§ 1-230.....	261

**Title 2.2 ADMINISTRATION OF GOVERNMENT**

<b>Section</b>	<b>Page</b>
§ 2.2-104.....	377
§ 2.2-115.....	44,421,429
§ 2.2-115.1.....	117
§ 2.2-200.....	380
§ 2.2-201.....	253
§ 2.2-203.1.....	395
§ 2.2-206.2.....	9
§ 2.2-224.1.....	250
§ 2.2-400.....	380
§ 2.2-418.....	415
§ 2.2-419.....	415
§ 2.2-510.....	281,395
§ 2.2-510.1.....	371
§ 2.2-514.....	160,163,369
§ 2.2-803.....	3,372,375
§ 2.2-813.....	131
§ 2.2-1101.....	372
§ 2.2-1124.....	359
§ 2.2-1125.....	352,354,359
§ 2.2-1129.....	380
§ 2.2-1131.1.....	395
§ 2.2-1132.....	327,364,368,401
§ 2.2-1149.....	356,379
§ 2.2-1150.....	379
§ 2.2-1151.....	363
§ 2.2-1153.....	379,395
§ 2.2-1155.....	367
§ 2.2-1156.....	192,195,335,367,378,379
§ 2.2-1201.....	388,394
§ 2.2-1501.....	373
§ 2.2-1503.....	350,351
§ 2.2-1505.....	3,377
§ 2.2-1509.....	35,181,373
§ 2.2-1509.3.....	35
§ 2.2-1509.4.....	39,230
§ 2.2-1510.....	348
§ 2.2-1514.....	265,335
§ 2.2-1515.....	314,315,364
§ 2.2-1519.....	325
§ 2.2-1520.....	320,321
§ 2.2-1611.....	45
§ 2.2-1802.....	356
§ 2.2-1819.....	355
§ 2.2-1829.....	128,334
§ 2.2-2006.....	374,375
§ 2.2-2007.....	35
§ 2.2-2011.....	282
§ 2.2-2012.....	4
§ 2.2-2013.....	35,372
§ 2.2-2017.....	35
§ 2.2-2238.....	57
§ 2.2-2260.....	325,326
§ 2.2-2261.....	137
§ 2.2-2263.....	322,325
§ 2.2-2320.....	45
§ 2.2-2320.1.....	46
§ 2.2-2402.....	274
§ 2.2-2416.....	363
§ 2.2-2417.....	367,368,378

§ 2.2-2472.....	63
§ 2.2-2485.....	57
§ 2.2-2487.....	55
§ 2.2-2488.....	57
§ 2.2-2489.....	55
§ 2.2-2648.....	145
§ 2.2-2813.....	413,414
§ 2.2-2818.....	390,393
§ 2.2-2825.....	413,414
§ 2.2-2900.....	32,413
§ 2.2-3605.....	391
§ 2.2-3700.....	7,9,10,414,415
§ 2.2-3701.....	9,10
§ 2.2-3707.....	348
§ 2.2-3707.1.....	348
§ 2.2-3708.2.....	348,432
§ 2.2-3800.....	398
§ 2.2-4000.....	149,226,340,341,345,419,429,434
§ 2.2-4002.....	156,287
§ 2.2-4006.....	234
§ 2.2-4011.....	160
§ 2.2-4019.....	160
§ 2.2-4020.....	160
§ 2.2-4300.....	4,196,348,403
§ 2.2-4301.....	378
§ 2.2-4343.....	377
§ 2.2-4377.....	196
§ 2.2-4400.....	402
§ 2.2-4800.....	31,348,402
§ 2.2-4809.....	133
§ 2.2-5004.....	279,399
§ 2.2-5101.....	45
§ 2.2-5102.1.....	45
§ 2.2-5200.....	142
§ 2.2-5206.....	145
§ 2.2-5209.....	144
§ 2.2-5211.....	142,207

**Title 3.2 AGRICULTURE, ANIMAL CARE, AND FOOD**

<b>Section</b>	<b>Page</b>
§ 3.2-201.....	39
§ 3.2-2705.....	358
§ 3.2-3005.....	39
§ 3.2-3100.....	154,428
§ 3.2-4200.....	19
§ 3.2-4201.....	334
§ 3.2-4783.....	296

**Title 4.1 ALCOHOLIC BEVERAGE AND CANNABIS CONTROL**

<b>Section</b>	<b>Page</b>
§ 4.1-116.....	330,331
§ 4.1-234.....	330

**Title 5.1 AVIATION**

<b>Section</b>	<b>Page</b>
§ 5.1-4.....	258

**Title 6.2 FINANCIAL INSTITUTIONS AND SERVICES**

<b>Section</b>	<b>Page</b>
§ 6.2-100.....	430

**Title 8.01 CIVIL REMEDIES AND PROCEDURE**

<b>Section</b>	<b>Page</b>
§ 8.01-3.....	411
§ 8.01-195.11.....	430
§ 8.01-195.12.....	430
§ 8.01-227.8.....	420,428
§ 8.01-512.4.....	431

Title 9.1 COMMONWEALTH PUBLIC SAFETY

Section	Page
§ 9.1-101.....	243
§ 9.1-102.....	201,241
§ 9.1-110.....	243
§ 9.1-173.....	242
§ 9.1-183.....	242
§ 9.1-187.....	201
§ 9.1-201.....	248
§ 9.1-206.....	248
§ 9.1-903.....	26

Title 10.1 CONSERVATION

Section	Page
§ 10.1-200.....	230,232
§ 10.1-202.....	231
§ 10.1-603.25.....	338
§ 10.1-1020.....	230
§ 10.1-1186.01.....	235
§ 10.1-1188.....	364
§ 10.1-1190.....	364
§ 10.1-1237.....	61
§ 10.1-1330.....	51
§ 10.1-1422.3.....	233
§ 10.1-2117.....	235,326
§ 10.1-2128.1.....	331,346
§ 10.1-2129.....	326
§ 10.1-2130.....	326
§ 10.1-2131.....	326

Title 11 CONTRACTS

Section	Page
§ 11-019.....	183,184

Title 15.2 COUNTIES, CITIES AND TOWNS

Section	Page
§ 15.2-540.....	339
§ 15.2-639.....	339
§ 15.2-848.....	339
§ 15.2-941.....	60
§ 15.2-1302.....	25,100,102,352
§ 15.2-1503.1.....	249
§ 15.2-1605.....	25
§ 15.2-1636.5.....	389
§ 15.2-1636.8.....	24
§ 15.2-1643.....	19
§ 15.2-2005.....	379
§ 15.2-2659.....	97,406
§ 15.2-3500.....	25,352
§ 15.2-4100.....	25,352
§ 15.2-4200.....	265
§ 15.2-4207.....	52
§ 15.2-4600.....	271

Title 16.1 COURTS NOT OF RECORD

Section	Page
§ 16.1-69.30.....	14
§ 16.1-69.32.....	411
§ 16.1-69.33.....	14
§ 16.1-69.40:2.....	347
§ 16.1-69.48.....	15
§ 16.1-69.48:2.....	405
§ 16.1-337.1.....	250

Title 17.1 COURTS OF RECORD

Section	Page
§ 17.1-100.....	15
§ 17.1-132.....	14,405
§ 17.1-275.12.....	244,335
§ 17.1-283.....	339
§ 17.1-285.....	339

§ 17.1-288.....	24
§ 17.1-290.....	24
§ 17.1-302.....	418
§ 17.1-314.....	14
§ 17.1-320.....	14
§ 17.1-502.....	14
§ 17.1-503.....	411

Title 18.2 CRIMES AND OFFENSES GENERALLY

Section	Page
§ 18.2-186.6.....	134
§ 18.2-254.1.....	15
§ 18.2-259.1.....	261
§ 18.2-266.....	258
§ 18.2-271.1.....	261
§ 18.2-272.....	258
§ 18.2-308.2:2.....	249
§ 18.2-422.....	431

Title 19.2 CRIMINAL PROCEDURE

Section	Page
§ 19.2-152.2.....	242
§ 19.2-152.7.....	242
§ 19.2-169.6.....	200
§ 19.2-176.....	200
§ 19.2-177.1.....	200
§ 19.2-182.2.....	250
§ 19.2-326.....	14
§ 19.2-386.14.....	250
§ 19.2-387.....	249
§ 19.2-388.....	249
§ 19.2-389.....	250
§ 19.2-389.1.....	250

Title 22.1 EDUCATION

Section	Page
§ 22.1-3.4.....	79
§ 22.1-18.....	84
§ 22.1-24.....	79
§ 22.1-25.....	82
§ 22.1-79.1.....	84
§ 22.1-97.....	86,87,88,92
§ 22.1-101.1.....	110
§ 22.1-108.....	79
§ 22.1-166.2.....	100,101
§ 22.1-168.....	97,100,101
§ 22.1-168.1.....	97,100,101
§ 22.1-175.1.....	423,428
§ 22.1-175.5.....	108
§ 22.1-176.....	79
§ 22.1-198.....	79
§ 22.1-199.....	79
§ 22.1-199.1.....	79
§ 22.1-199.2.....	79
§ 22.1-205.....	92,260
§ 22.1-212.2:2.....	79
§ 22.1-212.23.....	90
§ 22.1-213.....	79
§ 22.1-221.....	79
§ 22.1-223.....	63,79
§ 22.1-227.....	79
§ 22.1-237.....	79
§ 22.1-253.13:1.....	63,79
§ 22.1-253.13:2.....	86
§ 22.1-253.13:3.....	95
§ 22.1-253.13:8.....	79,84
§ 22.1-254.....	79,82
§ 22.1-254.01.....	79
§ 22.1-254.1.....	81
§ 22.1-254.2.....	63
§ 22.1-287.03.....	75



§ 22.1-289.1.....	79,423
§ 22.1-290.01.....	69
§ 22.1-290.02.....	116
§ 22.1-299.....	75,106
§ 22.1-318.....	79
§ 22.1-362.....	75

Title 23.1 INSTITUTIONS OF HIGHER EDUCATION; OTHER EDUCATIONAL AND CULTURAL INSTITUTIONS

Section	Page
§ 23.1-102.....	394
§ 23.1-203.....	373
§ 23.1-206.....	397,400
§ 23.1-615.....	369
§ 23.1-628.....	289
§ 23.1-635.....	289
§ 23.1-700.....	341,419,422
§ 23.1-907.....	398
§ 23.1-1001.....	354
§ 23.1-1002.....	354,397
§ 23.1-1003.....	401
§ 23.1-1005.....	403
§ 23.1-1006.....	378
§ 23.1-1020.....	392
§ 23.1-1106.....	360
§ 23.1-1200.....	322,325,327
§ 23.1-1243.....	327
§ 23.1-1302.....	389
§ 23.1-1303.....	354
§ 23.1-1304.....	404

Title 24.2 ELECTIONS

Section	Page
§ 24.2-101.....	413
§ 24.2-102.....	31
§ 24.2-302.....	416
§ 24.2-304.04.....	417
§ 24.2-304.3.....	412
§ 24.2-306.....	411,412
§ 24.2-307.....	412
§ 24.2-309.2.....	411,412
§ 24.2-314.....	413
§ 24.2-668.....	31
§ 24.2-712.....	31
§ 24.2-947.5.....	31

Title 27 FIRE PROTECTION

Section	Page
§ 27-55.....	249
§ 27-94.....	248
§ 27-99.....	248

Title 28.2 FISHERIES AND HABITAT OF THE TIDAL WATERS

Section	Page
§ 28.2-208.....	358
§ 28.2-302.3.....	358
§ 28.2-542.....	358
§ 28.2-1206.....	358

Title 30 GENERAL ASSEMBLY

Section	Page
§ 30-19.1:4.....	336
§ 30-19.12.....	413,414
§ 30-34.2:1.....	380
§ 30-130.....	403
§ 30-133.....	403
§ 30-263.....	411,412
§ 30-264.....	411,413
§ 30-265.....	411,413
§ 30-309.....	256
§ 30-310.....	47

§ 30-347.....	165
§ 30-391.....	413
§ 30-392.....	413
§ 30-393.....	413,414
§ 30-394.....	413,414,415
§ 30-395.....	412,416
§ 30-396.....	416
§ 30-397.....	416,417
§ 30-398.....	417
§ 30-399.....	412,417
§ 30-400.....	411,418

Title 32.1 HEALTH

Section	Page
§ 32.1-2.....	151
§ 32.1-11.....	149
§ 32.1-11.1.....	146
§ 32.1-11.2.....	146
§ 32.1-35.....	146
§ 32.1-39.....	151
§ 32.1-42.....	151
§ 32.1-50.....	147
§ 32.1-73.....	146
§ 32.1-77.....	149
§ 32.1-89.....	149
§ 32.1-90.....	149
§ 32.1-92.2.....	147
§ 32.1-163.....	150
§ 32.1-171.1.....	150
§ 32.1-176.7.....	150
§ 32.1-246.....	150
§ 32.1-246.1.....	150
§ 32.1-313.....	160
§ 32.1-323.2.....	156
§ 32.1-325.....	160
§ 32.1-325.1.....	160
§ 32.1-325.1:1.....	160
§ 32.1-330.....	167
§ 32.1-331.12.....	158,159
§ 32.1-351.....	164
§ 32.1-352.....	334
§ 32.1-366.....	154
§ 32.1-367.....	153

Title 33.2 HIGHWAYS AND OTHER SURFACE TRANSPORTATION SYSTEMS

Section	Page
§ 33.2-214.....	256,263
§ 33.2-214.1.....	253,255,263,269
§ 33.2-232.....	268
§ 33.2-314.....	380
§ 33.2-357.....	256,264
§ 33.2-358.....	264,265
§ 33.2-366.....	269
§ 33.2-369.....	264
§ 33.2-370.....	254
§ 33.2-371.....	254,271
§ 33.2-372.....	255,257
§ 33.2-373.....	257
§ 33.2-502.....	256
§ 33.2-1010.....	363
§ 33.2-1500.....	264
§ 33.2-1509.....	269,270
§ 33.2-1510.....	269
§ 33.2-1524.....	256,268
§ 33.2-1526.1.....	257
§ 33.2-1526.1:2.....	266
§ 33.2-1528.1.....	265
§ 33.2-1529.1.....	264
§ 33.2-1600.....	269
§ 33.2-1700.....	268,273

§ 33.2-1729.....	268
§ 33.2-1800.....	256
§ 33.2-1900.....	256
§ 33.2-1904.....	256
§ 33.2-2300.....	140,271
§ 33.2-2400.....	140,271
§ 33.2-2611.....	269
§ 33.2-3401.....	266
§ 33.2-3603.....	258

Title 34 HOMESTEAD AND OTHER EXEMPTIONS

<b>Section</b>	<b>Page</b>
§ 34-17.....	431
§ 34-28.3.....	430

Title 36 HOUSING

<b>Section</b>	<b>Page</b>
§ 36-139.....	51
§ 36-142.....	49,50
§ 36-155.....	286,295
§ 36-171.....	420,421
§ 36-174.....	421

Title 37.2 BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

<b>Section</b>	<b>Page</b>
§ 37.2-304.....	205
§ 37.2-319.....	205
§ 37.2-500.....	203
§ 37.2-504.....	199
§ 37.2-601.....	203
§ 37.2-605.....	199
§ 37.2-713.....	91
§ 37.2-808.....	200
§ 37.2-809.....	200
§ 37.2-813.....	200
§ 37.2-815.....	200
§ 37.2-816.....	200
§ 37.2-817.....	200
§ 37.2-819.....	250
§ 37.2-912.....	192

Title 38.2 INSURANCE

<b>Section</b>	<b>Page</b>
§ 38.2-400.....	133
§ 38.2-403.....	133
§ 38.2-415.....	250
§ 38.2-3418.16.....	188
§ 38.2-3461.....	433
§ 38.2-3462.....	433
§ 38.2-3463.....	433
§ 38.2-3464.....	433
§ 38.2-5009.....	371
§ 38.2-5601.....	134

Title 40.1 LABOR AND EMPLOYMENT

<b>Section</b>	<b>Page</b>
§ 40.1-29.2.....	433
§ 40.1-51.15.....	358

Title 44 MILITARY AND EMERGENCY LAWS

<b>Section</b>	<b>Page</b>
§ 44-93.1.....	352
§ 44-146.16.....	49,260,407,409,410,431,432
§ 44-146.17.....	49,246,347,348,407,409,410,431,432
§ 44-146.18.....	246
§ 44-146.18:2.....	379
§ 44-146.22.....	246
§ 44-146.28.....	246,379

Title 46.2 MOTOR VEHICLES

<b>Section</b>	<b>Page</b>
----------------	-------------

§ 46.2-205.....	258,259
§ 46.2-221.4.....	259
§ 46.2-301.....	261
§ 46.2-308.....	260
§ 46.2-330.....	260
§ 46.2-341.1.....	261
§ 46.2-342.....	260
§ 46.2-395.....	346
§ 46.2-411.....	346
§ 46.2-454.....	358
§ 46.2-688.....	260
§ 46.2-694.....	346
§ 46.2-819.3:1.....	260
§ 46.2-1104.....	265
§ 46.2-1167.....	250
§ 46.2-1508.....	261
§ 46.2-1600.....	261
§ 46.2-1700.....	260

Title 51.1 PENSIONS, BENEFITS, AND RETIREMENT

<b>Section</b>	<b>Page</b>
§ 51.1-124.3.....	389,391
§ 51.1-142.2.....	390
§ 51.1-144.....	391
§ 51.1-155.1.....	390
§ 51.1-156.....	391
§ 51.1-166.....	84
§ 51.1-300.....	391
§ 51.1-1100.....	389
§ 51.1-1103.....	389
§ 51.1-1401.....	91
§ 51.1-1403.....	26

Title 52 POLICE (STATE)

<b>Section</b>	<b>Page</b>
§ 52-4.....	249
§ 52-4.3.....	250
§ 52-4.4.....	249
§ 52-8.5.....	249
§ 52-12.....	249
§ 52-13.....	249
§ 52-15.....	249
§ 52-16.....	249
§ 52-25.....	249
§ 52-28.....	25
§ 52-31.....	249
§ 52-34.....	249

Title 53.1 PRISONS AND OTHER METHODS OF CORRECTION

<b>Section</b>	<b>Page</b>
§ 53.1-1.....	239
§ 53.1-5.....	239
§ 53.1-8.....	239
§ 53.1-10.....	239
§ 53.1-40.2.....	200
§ 53.1-80.....	137
§ 53.1-82.2.....	137

Title 54.1 PROFESSIONS AND OCCUPATIONS

<b>Section</b>	<b>Page</b>
§ 54.1-526.....	432
§ 54.1-2345.....	348
§ 54.1-3912.....	16
§ 54.1-3913.....	351

Title 55.1 PROPERTY AND CONVEYANCES

<b>Section</b>	<b>Page</b>
§ 55.1-345.....	346
§ 55.1-1202.....	409,410,411,431
§ 55.1-1204.....	51
§ 55.1-1251.....	409,410,411,431

Title 56 PUBLIC SERVICE COMPANIES

Section	Page
§ 56-232.....	100
§ 56-234.....	100
§ 56-468.1.....	271
§ 56-484.17:1.....	133
§ 56-575.17.....	8

Title 58.1 TAXATION

Section	Page
§ 58.1-3.....	8
§ 58.1-15.....	340,425,426
§ 58.1-105.....	133
§ 58.1-202.....	131
§ 58.1-202.1.....	339,340
§ 58.1-203.....	133
§ 58.1-214.....	131
§ 58.1-300.....	346
§ 58.1-301.....	3,418,424,429,433
§ 58.1-302.....	132,134,427
§ 58.1-303.....	435
§ 58.1-306.....	132
§ 58.1-309.....	346
§ 58.1-312.....	341,421,422
§ 58.1-315.....	429
§ 58.1-320.....	132,434,435
§ 58.1-321.....	341,422,434
§ 58.1-322.....	419,422
§ 58.1-322.02.....	418,435
§ 58.1-322.03.....	418,419,422,435
§ 58.1-339.11.....	423
§ 58.1-339.2.....	344
§ 58.1-339.4.....	420,421,428
§ 58.1-339.8.....	3,434
§ 58.1-341.....	345
§ 58.1-381.....	132,345
§ 58.1-392.....	132
§ 58.1-402.....	340,418,423,424
§ 58.1-435.....	50
§ 58.1-439.12:03.....	341
§ 58.1-439.12:12.....	427
§ 58.1-439.20.....	344
§ 58.1-439.20:1.....	344
§ 58.1-440.1.....	428
§ 58.1-441.....	345
§ 58.1-442.....	133
§ 58.1-446.....	425,426
§ 58.1-460.....	134
§ 58.1-472.....	131
§ 58.1-478.....	131
§ 58.1-490.....	132
§ 58.1-495.....	132
§ 58.1-512.....	344
§ 58.1-513.....	130,230
§ 58.1-520.....	346
§ 58.1-600.....	423
§ 58.1-602.....	339
§ 58.1-603.....	340
§ 58.1-604.....	340
§ 58.1-605.....	340
§ 58.1-606.....	340
§ 58.1-608.3.....	281
§ 58.1-609.10.....	131
§ 58.1-609.11.....	131,341
§ 58.1-609.12.....	131
§ 58.1-609.3.....	341
§ 58.1-612.....	345
§ 58.1-615.....	339
§ 58.1-616.....	339
§ 58.1-622.....	340
§ 58.1-624.....	339

§ 58.1-635.....	340
§ 58.1-638.....	89,92,111,334,340
§ 58.1-638.1.....	339,340
§ 58.1-638.2.....	340
§ 58.1-638.3.....	340
§ 58.1-642.....	340
§ 58.1-645.....	131
§ 58.1-656.....	340
§ 58.1-662.....	130,131,336
§ 58.1-801.....	346
§ 58.1-803.....	346
§ 58.1-816.1.....	140,272
§ 58.1-1001.....	344,345
§ 58.1-1021.01.....	345
§ 58.1-1021.02.....	135,345
§ 58.1-1021.03.....	340
§ 58.1-1021.04:1.....	345
§ 58.1-1200.....	345
§ 58.1-1402.....	334
§ 58.1-1410.....	334
§ 58.1-1509.....	330
§ 58.1-1609.....	330
§ 58.1-1730.....	340
§ 58.1-1731.....	45
§ 58.1-1736.....	339
§ 58.1-1741.....	132,339
§ 58.1-1803.....	130,135
§ 58.1-1833.....	425,426
§ 58.1-2201.....	341
§ 58.1-2289.....	331
§ 58.1-2291.....	341
§ 58.1-2295.....	259
§ 58.1-2500.....	345
§ 58.1-2501.....	151
§ 58.1-2510.....	339
§ 58.1-2531.....	339
§ 58.1-2533.....	133
§ 58.1-3221.3.....	255
§ 58.1-3230.....	420,428
§ 58.1-3403.....	270
§ 58.1-3524.....	359
§ 58.1-3536.....	359
§ 58.1-3701.....	133
§ 58.1-3818.02.....	341
§ 58.1-3835.....	135
§ 58.1-4022.....	79,333
§ 58.1-4022.1.....	79,333
§ 58.1-4107.....	397

Title 59.1 TRADE AND COMMERCE

Section	Page
§ 59.1-284.29.....	46
§ 59.1-284.30.....	46
§ 59.1-284.32.....	46
§ 59.1-284.33.....	46
§ 59.1-284.34.....	46
§ 59.1-284.35.....	46
§ 59.1-284.36.....	46
§ 59.1-284.37.....	46
§ 59.1-336.....	7

Title 60.2 UNEMPLOYMENT COMPENSATION

Section	Page
§ 60.2-533.....	285

Title 62.1 WATERS OF THE STATE, PORTS AND HARBORS

Section	Page
§ 62.1-44.15:6.....	234
§ 62.1-44.15:28.....	236
§ 62.1-44.15:56.....	235
§ 62.1-44.18.....	150

§ 62.1-44.19:3.....	235
§ 62.1-44.19:9.....	150
§ 62.1-44.19:14.....	290
§ 62.1-44.19:20.....	236
§ 62.1-132.6.....	364
§ 62.1-216.1.....	406
§ 62.1-225.....	290
§ 62.1-242.12.....	326

Title 63.2 WELFARE (SOCIAL SERVICES)

<b>Section</b>	<b>Page</b>
§ 63.2-401.....	212
§ 63.2-403.....	212
§ 63.2-406.....	212
§ 63.2-407.....	212
§ 63.2-408.....	212
§ 63.2-611.....	209
§ 63.2-612.....	209
§ 63.2-615.....	212
§ 63.2-905.1.....	216
§ 63.2-908.....	422
§ 63.2-1300.....	215
§ 63.2-1302.....	216
§ 63.2-1303.....	215
§ 63.2-1502.....	215
§ 63.2-1615.....	215
§ 63.2-1700.....	224
§ 63.2-1701.1.....	224
§ 63.2-1704.....	224
§ 63.2-1706.....	224
§ 63.2-1715.....	225
§ 63.2-1716.....	225
§ 63.2-1719.....	225
§ 63.2-1720.1.....	225
§ 63.2-1721.1.....	225
§ 63.2-2103.....	208

Title 64.2 WILLS, TRUSTS, AND FIDUCIARIES

<b>Section</b>	<b>Page</b>
§ 64.2-2014.....	250

CHAPTER 2

An Act for all appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, and to provide a portion of the revenues for the two years ending respectively on the thirtieth day of June, 2023, and the thirtieth day of June, 2024, and an Act to amend and reenact §§ 3.2-5145.5, 4.1-1100, 4.1-1101, 18.2-325, 18.2-334.6, 22.1-349.1, 58.1-322.02, 58.1-322.03, 58.1-339.8, 58.1-439.30, 58.1-611.1, and 59.1-200 of the Code of Virginia.

[H 30]

Approved June 22, 2022

Be it enacted by the General Assembly of Virginia:

1.§1. The following are hereby appropriated, for the current biennium, as set forth in succeeding parts, sections and items, for the purposes stated and for the years indicated:

A. The balances of appropriations made by previous acts of the General Assembly which are recorded as unexpended, as of the close of business on the last day of the previous biennium, on the final records of the State Comptroller; and

B. The public taxes and arrears of taxes, as well as moneys derived from all other sources, which shall come into the state treasury prior to the close of business on the last day of the current biennium. The term "moneys" means nontax revenues of all kinds, including but not limited to fees, licenses, services and contract charges, gifts, grants, and donations, and projected revenues derived from proposed legislation contingent upon General Assembly passage.

§ 2. Such balances, public taxes, arrears of taxes, and monies derived from all other sources as are not segregated by law to other funds, which funds are defined by the State Comptroller, pursuant to § 2.2-803, Code of Virginia, shall establish and constitute the general fund of the state treasury.

§ 3. The appropriations made in this act from the general fund are based upon the following:

	First Year	Second Year	Total
Unreserved Beginning Balance	\$4,733,050,478	\$0	\$4,733,050,478
Additions to Balance	\$1,440,246,365	(\$500,000)	\$1,439,746,365
Official Revenue Estimates	\$24,871,345,500	\$27,263,014,900	\$52,134,360,400
Transfer	\$714,716,804	\$733,205,420	\$1,447,922,224
Total General Fund Resources Available for			
Appropriation	\$31,759,359,147	\$27,995,720,320	\$59,755,079,467

The appropriations made in this act from nongeneral fund revenues are based upon the following:

	First Year	Second Year	Total
Balance, June 30, 2022	\$8,383,240,878	\$0	\$8,383,240,878
Official Revenue Estimates	\$45,429,302,663	\$45,043,705,919	\$90,473,008,582
Lottery Proceeds Fund	\$784,671,715	\$764,671,715	\$1,549,343,430
Internal Service Fund	\$2,404,388,342	\$2,413,968,065	\$4,818,356,407
Bond Proceeds	\$157,296,000	\$0	\$157,296,000
Total Nongeneral Fund Revenues Available for			
Appropriation	\$57,158,899,598	\$48,222,345,699	\$105,381,245,297
<b>TOTAL PROJECTED REVENUES</b>	<b>\$88,918,258,745</b>	<b>\$76,218,066,019</b>	<b>\$165,136,324,764</b>

§ 4. Nongeneral fund revenues which are not otherwise segregated pursuant to this act shall be segregated in accordance with the acts respectively establishing them.

§ 5. The sums herein appropriated are appropriated from the fund sources designated in the respective items of this act.

§ 6. When used in this act the term:

A. "Current biennium" means the period from the first day of July two thousand twenty-two, through the thirtieth day of June two thousand twenty-four, inclusive.

B. "Previous biennium" means the period from the first day of July two thousand twenty, through the thirtieth day of June two thousand twenty-two, inclusive.

C. "Next biennium" means the period from the first day of July two thousand twenty-four, through the thirtieth day of June two thousand twenty-six, inclusive.

D. "State agency" means a court, department, institution, office, board, council or other unit of state government located in the legislative, judicial, or executive departments or group of independent agencies, or central appropriations, as shown in this act, and which is designated in this act by title and a three-digit agency code.

E. "Nonstate agency" means an organization or entity as defined in § 2.2-1505 C, Code of Virginia.

F. "Authority" sets forth the general enabling statute, either state or federal, for the operation of the program for which appropriations are shown.

G. "Discretionary" means there is no continuing statutory authority which infers or requires state funding for programs for which the appropriations are shown.

H. "Appropriation" shall include both the funds authorized for expenditure and the corresponding level of full-time equivalent employment.

I. "Sum sufficient" identifies an appropriation for which the Governor is authorized to exceed the amount shown in the Appropriation Act if required to carry out the purpose for which the appropriation is made.

J. "Item Details" indicates that, except as provided in § 6 H above, the numbers shown under the columns labeled Item Details are for information reference only.

K. Unless otherwise defined, terms used in this act dealing with budgeting, planning and related management actions are defined in the instructions for preparation of the Executive Budget.

§ 7. The total appropriations from all sources in this act have been allocated as follows:

	<b>BIENNIUM 2022-24</b>		
	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Total</b>
OPERATING EXPENSES	\$57,589,938,865	\$101,887,858,668	\$159,477,797,533
LEGISLATIVE			
DEPARTMENT	\$235,368,778	\$10,164,648	\$245,533,426
JUDICIAL DEPARTMENT	\$1,164,608,959	\$75,913,598	\$1,240,522,557
EXECUTIVE DEPARTMENT	\$56,156,398,852	\$99,483,361,090	\$155,639,759,942
INDEPENDENT AGENCIES	\$33,562,276	\$2,318,419,332	\$2,351,981,608
STATE GRANTS TO			
NONSTATE AGENCIES	\$0	\$0	\$0
CAPITAL OUTLAY			
EXPENSES	\$2,149,179,488	\$1,134,983,221	\$3,284,162,709
TOTAL	\$59,739,118,353	\$103,022,841,889	\$162,761,960,242

§ 8. This chapter shall be known and may be cited as the "2022 Appropriation Act."

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**PART 1: OPERATING EXPENSES**

**LEGISLATIVE DEPARTMENT**

**§ 1-1. GENERAL ASSEMBLY OF VIRGINIA (101)**

1.	Enactment of Laws (78200) a sum sufficient, estimated at.....			\$59,457,146	\$59,437,146
	Legislative Sessions (78204).....	\$59,457,146	\$59,437,146		
	Fund Sources: General.....	\$59,457,146	\$59,437,146		

Authority: Article IV, Constitution of Virginia.

A. Out of this appropriation, the House of Delegates is funded \$36,167,822 the first year and \$36,147,822 the second year from the general fund. The Senate is funded \$23,287,964 the first year and \$23,287,964 the second year from the general fund.

B. Out of this appropriation shall be paid:

1. The salaries of the Speaker of the House of Delegates and other members, and personnel employed by each House; the mileage of members, officers and employees, including salaries and mileage of members of legislative committees sitting during recess; public printing and related expenses required by or for the General Assembly; and the incidental expenses of the General Assembly (§§ 30-19.11 through 30-19.20, inclusive, and § 30-19.4, Code of Virginia). The salary of the Speaker of the House of Delegates shall be \$36,321 per year. The salaries of other members of the House of Delegates shall be \$17,640 per year. The salaries of the members of the Senate shall be \$18,000 per year.

2. Expenses of the Speaker of the House of Delegates not otherwise reimbursed, \$16,200 each year, to be paid in equal monthly installments during the year.

3. In accordance with § 30-19.4, Code of Virginia, and subject to all other conditions of that section except as otherwise provided in the following paragraphs:

a. \$112,187 per calendar year for the compensation of one or more secretaries of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 483 of this act.

b. \$306,093 per calendar year for the compensation of one or more legislative assistants of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 483 of this act.

c. \$212,920 per calendar year for the compensation of one or more secretaries or legislative assistants for the Senate majority and minority leadership, as determined by the Majority Leader in consultation with the Chairman of the Senate Committee on Rules. Salary increases shall be governed by the provisions of Item 483 of this act.

d.1. \$46,332 per calendar year for the compensation of legislative assistants for each member of the House of Delegates and \$52,123 for the compensation of legislative assistants for each member of the Senate. Salary increases granted shall be governed by the provisions of Item 483 of this act.

2. In addition, \$17,374 per calendar year for each member of the House of Delegates and \$11,583 per calendar year for each member of the Senate to provide compensation for additional legislative assistant support costs incurred during the legislative session and in the operation of legislative offices within members' districts. Salary increases granted shall be governed by the provisions of Item 483 of this act.

e. The per diem for each legislative assistant of each member of the General Assembly, including the Speaker of the House of Delegates. Such per diem shall equal the amount authorized per session day for General Assembly members in paragraph B.5, if such

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>legislative assistant maintains a temporary residence during the legislative session or an extension thereof and if the establishment of such temporary residence results from the person's employment by the member. The per diem for a legislative assistant who is domiciled in the City of Richmond or whose domicile is within twenty miles of the Capitol shall equal thirty-five percent of the amount paid to a legislative assistant who maintains a temporary residence during such session. For purposes of this paragraph, (i) a session day shall include such days as shall be established by the Rules Committee of each respective House and (ii) a temporary residence is defined as a residence certified by the member served by the legislative assistant as occupied only by reason of employment during the legislative session or extension thereof. Notwithstanding the provisions of (i) of the preceding sentence, if the House from which the legislative assistant is paid is in adjournment during a regular or special session, he must show to the satisfaction of the Clerk that he worked each day during such adjournment for which such per diem is claimed.</p>				
<p>f. A mileage allowance as provided in § 2.2-2823 A, Code of Virginia, and as certified by the member. Such mileage allowance shall be paid to a legislative assistant for one round trip between the City of Richmond and such person's home each week during the legislative session or an extension thereof when such person is maintaining a temporary residence.</p>				
<p>g. Per diem and mileage shall be paid only to a person who is paid compensation pursuant to § 30-19.4, Code of Virginia.</p>				
<p>h. Not more than one person shall be paid per diem or mileage during a single weekly pay period for serving a member as legislative assistant during a legislative session or extension thereof.</p>				
<p>i. No person, by virtue of concurrently serving more than one member, shall be paid mileage or per diem in excess of the daily rates specified in this Item.</p>				
<p>j. \$74,107 per calendar year additional allowance for secretaries or legislative assistants to the Majority and Minority Leaders of the House of Delegates and the Senate and for secretaries or legislative assistants to the President Pro Tempore of the Senate , and to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. Salary increases shall be governed by the provisions of Item 483 of this act.</p>				
<p>4.a All compensation and reimbursement of expenses to members of the General Assembly and non-General Assembly members for attending a meeting described in paragraphs B.4.c., B.4.d., B.5., and B.6. shall be paid solely as provided pursuant to this item.</p>				
<p>b. The provisions of paragraphs B.4.c. and B.4.d. of this item shall not apply during any regular session of the General Assembly or extension thereof, or during any special session of the General Assembly; provided, however, that the provisions of such paragraphs shall apply during any recess of the same.</p>				
<p>c. Notwithstanding any other provision of law, each General Assembly member shall receive compensation for each day, or portion thereof, of attendance at an official meeting of any joint subcommittee, board, commission, authority, council, compact, or other body that has been created or established by the General Assembly or by resolution of a house of the General Assembly, provided that the member has been appointed to, or designated an official member of, such joint subcommittee, board, commission, authority, council, compact, or other body pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation.</p>				
<p>Notwithstanding any other provision of law, each General Assembly member shall also receive compensation for each day, or portion thereof, of attendance at an official meeting of (i) any standing committee or subcommittee thereof of the House of Delegates to which the member has been appointed, (ii) any standing committee or subcommittee thereof or Committee on Rules of the Senate to which the member has been appointed, or (iii) the Joint Rules Committee of the General Assembly. Any official meeting of a subcommittee of any of the committees described in clauses (i), (ii), or (iii) shall also be an official meeting for which the member shall receive compensation.</p>				
<p>Notwithstanding any other provision of law, any General Assembly member whose attendance, in the written opinion of the chairman of (a) any joint subcommittee, board, commission, authority, council, or other body that has been created or established in the</p>				



ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly; (b) any such standing committee of the House of Delegates or of the Senate; (c) the Committee on Rules of the Senate; or (d) the Joint Rules Committee of the General Assembly, is required at an official meeting of the body shall also receive compensation for each day, or portion thereof, of attendance at such official meeting.

Any General Assembly member receiving compensation pursuant to this paragraph for attending an official meeting shall be reimbursed for his or her reasonable and necessary expenses incurred in attending such meeting. Notwithstanding any other provision of law, the reimbursement shall be provided by the respective body holding the meeting or by the entity that supports the work of the body.

d. Compensation to General Assembly members for attendance at any official meeting described under B.4.c. of this item may be at a rate equal to \$300 for each day, or portion thereof, of attendance. If the member attends two or more official meetings during the same day, and at least one of which occurs in the morning and one of which occurs in the afternoon, then the member shall be compensated at a rate of \$400 for the entire day, otherwise compensation is capped at the \$300 per day. The payment of such compensation shall be subject to the restrictions and limitations set forth in subsections B., C., and G. of § 30-19.12, Code of Virginia. Notwithstanding any other provision of law, compensation to General Assembly members for attendance at such official meetings shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. The body holding the meeting shall as soon as practicable report the member's attendance at any official meeting of such body to the Clerk of the House of Delegates or the Clerk of the Senate, as applicable, in order to facilitate payment of the compensation. Such body shall report the member's attendance in such manner as prescribed by the respective Clerk.

5. Notwithstanding any other provision of law, whenever any General Assembly member is required to travel for official attendance as a representative of the General Assembly at any meeting, conference, seminar, workshop, or conclave, which is not conducted by the Commonwealth of Virginia or any of its agencies or instrumentalities, such member shall be entitled to (i) compensation in an amount not to exceed the per day rate set forth in paragraph B.4.d., and (ii) reimbursement for reasonable and necessary expenses incurred. Such compensation and reimbursement for expenses shall be set by the Speaker of the House of Delegates for members of the House of Delegates and by the Senate Committee on Rules for members of the Senate.

6. The provisions of this paragraph shall apply only to non-General Assembly members (hereinafter, "citizen members") of any (i) board, commission, authority, council, or other body created or established in the legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly, or (ii) joint legislative committee or subcommittee.

Notwithstanding any other provision of law, any citizen member of any body described in this paragraph who is appointed at the state level, or designated an official member of such body, pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation, shall receive compensation solely for each day, or portion thereof, of attendance at an official meeting of the same. In no event shall any citizen member be paid compensation for attending a meeting of an advisory committee or other advisory body. Subject to any contrary law that provides for a higher amount of compensation to be paid, compensation shall be paid at the rate of \$50 for each day, or portion thereof, of attendance at an official meeting.

Such citizen members shall also be reimbursed for reasonable and necessary expenses incurred in attending (i) an official meeting of any body described in this paragraph, or (ii) a meeting of an advisory committee or advisory body of any body described in this paragraph.

Compensation and reimbursement of expenses to such citizen members shall be paid by the body holding the meeting (or for meetings of advisory committees or advisory bodies, the body on whose behalf the meeting is being held) or by the entity that supports the work of the body.

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
<p>A citizen member, however, who is a full-time employee of the Commonwealth or any of its local political subdivisions, including any full-time faculty member of a public institution of higher education, shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed by his employer. If such full-time employee who is a citizen member is required by his employer to take annual, family and personal, or other paid leave or unpaid leave to attend an official meeting under this paragraph, then such person shall be reimbursed for his reasonable and necessary expenses incurred by the body holding the meeting, or for meetings of advisory committees or advisory bodies, the body on whose behalf the meeting is being held, or by the entity that supports the work of the body. For the purposes of this paragraph, reasonable and necessary expenses shall exclude the reimbursement for leave taken by a citizen member who is a full-time employee of the Commonwealth.</p>				
<p>A citizen member who is also currently a treasurer, sheriff, clerk of court, commissioner of the revenue, or attorney for the Commonwealth by reason of election of the qualified county or city voters shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of his office are reimbursed. Full-time employees of one of the foregoing constitutional offices shall also not be entitled to compensation under this paragraph and shall be limited to reimbursement for their reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of the constitutional office are reimbursed.</p>				
<p>7. Pursuant to § 30-19.13, Code of Virginia, allowances for expenses of members of the General Assembly during any regular session of the General Assembly or extension thereof or during any special session of the General Assembly shall be paid in an amount not to exceed the maximum daily amount permitted by the Internal Revenue Service under rates established by the U.S. General Services Administration.</p>				
<p>8. Allowance for office expenses and supplies of members of the General Assembly, in the amount of \$1,250 for each month of each calendar year. An additional \$500 for each month of each calendar year shall be paid to the Majority and Minority Leaders of the House of Delegates and the Senate and to the President Pro Tempore of the Senate, the Chair or Chairs of the Senate Finance and Appropriations Committee, and the Chair of the House Appropriations Committee.</p>				
<p>C. One legislative assistant of a member of the General Assembly regularly employed on a twelve (12) consecutive month salary basis receiving 60 percent or more of the salary allotted pursuant to paragraph B.3.d.1, may, for the purposes of §§ 51.1-124.3 and 51.1-152, Code of Virginia, be deemed a "state employee" and as such will be eligible for participation in the Virginia Retirement System, the group life insurance plan, the VRS short and long term disability plans, and the state health insurance plan. Upon approval by the Joint Rules Committee, legislative assistants shall be eligible to participate in the short and long-term disability plans sponsored by the Virginia Retirement System pursuant to Chapter 11 of Title 51.1, Code of Virginia. Such legislative assistants shall not receive sick leave and family and personal leave benefits under this plan. Short-term disability benefits shall be payable from the Legislative Reversion Clearing Account.</p>				
<p>D. Out of this appropriation the Clerk of the House of Delegates shall pay the routine maintenance and operating expenses of the General Assembly Building as apportioned to the Senate, House of Delegates, Division of Legislative Services, Joint Legislative Audit and Review Commission, or other legislative agencies. The funds appropriated to each agency in the Legislative Department for routine maintenance and operating expenses during the current biennium shall be transferred to the account established for this purpose.</p>				
<p>E. An amount of up to \$10,000 per year shall be transferred from Item 38 of this act, to reflect equivalent compensation allowances for the Lieutenant Governor as were authorized by the 1994 General Assembly. The Lieutenant Governor shall report such increases to the Speaker of the House and the Chair of the House Appropriations Committee and the Chair of the Senate Finance and Appropriations Committee.</p>				
<p>F. The Speaker of the House shall establish the salary for the Clerk of the House of Delegates.</p>				

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

G. The Senate Committee on Rules shall establish the salary for the Clerk of the Senate.

H. Notwithstanding the salaries set out in Items 2, 4, 5, and 6, the Committee on Joint Rules may establish salary ranges for such agency heads consistent with the provisions and salary ranges included in § 4-6.01 of this act.

I. The Joint Commission on Transportation Accountability shall regularly review, and provide oversight of the usage of funding generated pursuant to the provisions of House Bill 2313, 2013 Session of the General Assembly. To this end, by November 15 the Director of the Department of Rail and Public Transportation, the Northern Virginia Transportation Authority and the Hampton Roads Transportation Accountability Commission shall each prepare a report on the uses of the Commonwealth Rail Fund, the Northern Virginia Transportation Authority Fund, and the Hampton Roads Transportation Fund, respectively, each year to be presented to the Joint Commission on Transportation Accountability.

J.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint up to five members from their respective committees to a Joint Subcommittee for Early Childhood Care and Education to provide ongoing oversight of the implementation of Virginia's unified public-private system for early childhood care and education. The members of the Joint Subcommittee shall elect a chairman and vice chairman annually.

2. The goals and objectives of the Joint Subcommittee shall be to (i) review the cost-effectiveness of federal and state funding used to improve Virginia's early childhood care and education system, (ii) ensure that the transition of child care regulation from the Board of Social Services to the Board of Education occurs seamlessly without impacting health and safety oversight functions, (iii) ensure that the transition of functions from the Department of Social Services to the Department of Education occurs seamlessly without the interruption of the provision of state services or undue impact on the operation of either agency, (iv) review the implementation of the Board of Education's Quality Rating Implementation System, (v) review workforce needs for Virginia's early childhood education system, (vi) further facilitate partnerships between school divisions and private providers for the Virginia Preschool Initiative, (vii) consider recommendations and options included in the 2017 JLARC report on Improving Virginia's Early Childhood Development Programs, and (viii) consider funding methodology changes to transition the Virginia Preschool Initiative funding model to maximize the number of children served, while recognizing prevailing costs.

3. The staff of the Elementary and Secondary Education subcommittees for the House Appropriations and Senate Finance and Appropriations Committees and the Department of Education will help with facilitating the scope of work to be completed by the Joint Subcommittee. The Virginia Early Childhood Foundation will provide support and resources to the members and staff of the Joint Subcommittee. Other stakeholders, such as those from the Virginia Department of Social Services, the Virginia Community College System, local school divisions, private and faith-based child day-care providers, accredited organizations, education associations and businesses may provide additional information if requested. A report of any findings and recommendations shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committees.

K.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint five members from their respective committees to a Joint Subcommittee for Health and Human Resources Oversight to respond to federal health care changes, provide ongoing oversight of the Medicaid and children's health insurance programs and oversight of Health and Human Resources agencies. The members of the Joint Subcommittee shall elect a Chair and Vice Chair annually.

2. The Joint Subcommittee shall monitor, evaluate and respond to federal legislation that repeals, amends or replaces the Affordable Care Act (ACA), Medicaid (Title XIX of the Social Security Act), the Children's Health Insurance Program (Title XXI of the Social Security Act) or any proposals to block grant or change the method by which these programs are funded. The Joint Subcommittee shall recommend actions to be taken by the General Assembly to address the impact of any such federal legislation that would affect

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	<p>the state budget and health care coverage now available to Virginians. Furthermore, the Subcommittee shall evaluate federal changes for opportunities to improve Virginia's Medicaid and other health insurance programs.</p>			
	<p>3. The Joint Subcommittee shall provide ongoing oversight of initiatives and operations of the Health and Human Resources agencies. The Joint Subcommittee shall examine progress made in implementing changes to: (i) Medicaid managed care, including managed long-term supports and services; (ii) Medicaid waiver programs including the Medicaid waivers serving individuals with developmental disabilities; (iii) the Medicaid Enterprise System; (iv) improve eligibility, enrollment and renewal processes in the Medicaid and CHIP programs; (v) the organizational structure and realignment of staff and resources of the Department of Medical Assistance Services resulting from the change from a fee-for-service to a managed care delivery system; (vi) improve the cost effective delivery of services through the Comprehensive Services Act; and (vii) initiatives and programmatic changes across the Health and Human Resources agencies to ensure efficient and effective use of resources across the Secretariat.</p>			
	<p>4. The Joint Subcommittee may seek support and technical assistance from staff of the House Appropriations and Senate Finance and Appropriations Committees, the staff of the Joint Legislative Audit and Review Commission, the staff of the Joint Commission on Health Care, and the staff of the Department of Medical Assistance Services. Other state agency staff shall provide support upon request.</p>			
	<p>5. The staff of the House Appropriations and Senate Finance and Appropriations Committees and the Joint Commission on Health Care shall help facilitate the scope of work to be completed by the Joint Subcommittee for Health and Human Resources Oversight.</p>			
	<p>L.1. The Chair of the Senate Finance and Appropriations Committee shall appoint five members from their Committee and the Chair of the House Appropriations Committee shall appoint four members from his Committee and two members of the House Finance Committee to a Joint Subcommittee on Local Government Fiscal Stress. The Joint Subcommittee shall elect a chairman and vice-chairman from among its membership.</p>			
	<p>2. The goals and objectives of the Joint Subcommittee will be to review (i) savings opportunities from increased regional cooperation and consolidation of services, including by jointly operating or merging small school divisions; (ii) local responsibilities for service delivery of state-mandated or high priority programs, (iii) causes of fiscal stress among local governments, (iv) potential financial incentives and other governmental reforms to encourage increased regional cooperation; and (v) the different taxing authorities of cities and counties.</p>			
	<p>3. Administrative staff support shall be provided by the Office of the Clerks of the House and Senate. The Joint Subcommittee may seek support and technical assistance from the staff of the Division of Legislative Services, House Appropriations and Senate Finance and Appropriations Committees, and the Commission on Local Government. All agencies of the Commonwealth shall provide assistance to the Joint Subcommittee for this study, upon request.</p>			
	<p>4. No recommendation of the Joint Subcommittee shall be adopted if a majority votes against the recommendation. The Joint Subcommittee shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year.</p>			
	<p>M. 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 will temporarily move to and operate from the Pocahontas Building bounded by the following streets: 9th Street to the west, 10th Street to the east, Bank Street to the north, and Main Street to the south in the City of Richmond. Space occupied temporarily by the General Assembly shall be under the control of the Legislative Support Commission (§ 30-34.1). Funding for routine maintenance and operations of the temporary space is included in Item 1 of this act.</p>			
	<p>N. Any nonlegislative citizen member appointed by either the Speaker of the House, the Senate Committee on Rules or the Joint Rules Committee to any Authority, Board, Commission, Committee, or other deliberative body in the Commonwealth shall serve at the pleasure of such appointing authority. Any such member may be relieved of his appointment</p>			

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

at any time, with or without cause.

O.1. The Chair of the Senate Finance and Appropriations Committee shall appoint six members from the Senate Committee on Finance and Appropriations and the Chair of the House Appropriations Committee shall appoint three members from the House Committee on Appropriations and three members of the House Committee on Finance to a Joint Subcommittee on Tax Policy. The Joint Subcommittee shall elect a chairman and vice-chairman from among its membership.

2. The goals and objectives of the Joint Subcommittee shall include (i) evaluating the fiscal impact of amendments to tax brackets, tax rates, credits, deductions, and exemptions, as well as any other factors it deems relevant to making Virginia's individual income tax system more fair and equitable; (ii) giving consideration to the fairness, certainty, convenience of payment, economy in collection, simplicity, neutrality, and economic efficiency of the Commonwealth's tax policies and any changes thereto; and (iii) recommending whether the General Assembly should amend the Code of Virginia.

3. To assist the Joint Subcommittee, the Chair of the Joint Subcommittee may appoint a workgroup which includes the staff of the House Committee on Finance, the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, and any other stakeholders deemed appropriate. All agencies of the Commonwealth shall provide technical assistance to the Joint Subcommittee, upon request.

P. The Clerk of the House of Delegates and the Clerk of the Senate of Virginia, in coordination with staff of the House Appropriations Committee and the Senate Finance and Appropriations Committee, shall review and evaluate the compensation and benefits currently provided to legislative assistants and deliver a report containing recommendations on any changes to such compensation and benefits to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by November 1, 2022.

Q.1. The Virginia Minority Business Commission (the Commission) shall promote the growth and competitiveness of Virginia minority-owned businesses.

2.a. The Commission shall consist of 13 members that include seven legislative members and six nonlegislative citizen members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Speaker of the House of Delegates; and three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Senate Committee on Rules. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the Chair of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

b. Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments. The Commission shall elect a Chair and Vice-Chair from among its membership, who shall be members of the General Assembly.

c. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	provided in § 2.2-2813 and § 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission.			
	3. The Commission shall: (i) Evaluate the impact of existing statutes and proposed legislation on minority businesses; (ii) Assess the Commonwealth's minority business assistance programs and examine ways to enhance their effectiveness; (iii) Provide minority business owners and advocates with a forum to address their concerns; (iv) Develop strategies and recommendations to promote the growth and competitiveness of Virginia minority-owned businesses; and, (v) Collaborate with the Department of Small Business and Supplier Diversity and other appropriate entities to facilitate the Commission's work and mission.			
	4. The Chair shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than November 1st of each year. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.			
	R. Included within this appropriation is \$471,937 the first year and \$471,937 the second year from the general fund for operational support for the following legislative commissions:			
	<b>Legislative Commission/Council</b>	<b>Authority</b>	<b>FY 2023</b>	<b>FY 2024</b>
	American Revolution 250 Commission (Legislative Member Expenses)	Title 30, Chapter 25, Code of Virginia	\$12,200	\$12,200
	Autism Advisory Council	Title 30, Chapter 50, Code of Virginia	\$6,330	\$6,330
	Commission on Civics Education	Title 30, Chapter 55, Code of Virginia	\$15,000	\$15,000
	Commission on Electric Utility Regulation	Title 30, Chapter 31, Code of Virginia	\$10,011	\$10,011
	Commission on School Construction and Modernization	Title 30, Chapter 60, Code of Virginia	\$34,340	\$34,340
	Commission on Unemployment Compensation	Title 30, Chapter 33, Code of Virginia	\$6,019	\$6,019
	Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes	Title 30, Chapter 65, Code of Virginia	\$37,540	\$37,540
	Commission to Evaluate Opportunity for Minority Business Expansion	Discretionary Inclusion	\$20,000	\$20,000
	Joint Commission on Administrative Rules	Title 30, Chapter 8.1, Code of Virginia	\$10,065	\$10,065
	Joint Commission on Transportation Accountability	Title 30, Chapter 43, Code of Virginia	\$40,302	\$40,302
	Joint Subcommittee to Study Virginia Department of Corrections Staffing Levels	HJR 552, 2021 Acts of Assembly, Special Session I	\$14,200	\$14,200
	Joint Subcommittee for Early Childhood Care and Education	Chapter 1289, 2020 Acts of Assembly (Item 1, Paragraph Q)	\$24,400	\$24,400
	Joint Subcommittee for Health and Human Resources Oversight	Chapter 836, 2017 Acts of Assembly (Item 1, Paragraph T)	\$24,400	\$24,400
	Joint Subcommittee on Campaign Finance Reform	HJR 526, 2021 Acts of Assembly, Special Session I	\$22,400	\$22,400

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Joint Subcommittee on Coastal Flooding	HJR 16, SJR 35, 2022 Acts of Assembly	\$20,000		\$20,000
Joint Subcommittee on Local Government Fiscal Stress	Chapter 836, 2017 Acts of Assembly (Item 1, Paragraph U)	\$26,840		\$26,840
Joint Subcommittee on Tax Policy	Chapter 552, 2021 Acts of Assembly, Special Session I (Item 1, Paragraph AA)	\$29,280		\$29,280
Legislative Support Commission	Title 30, Chapter 3.1, Code of Virginia	\$7,320		\$7,320
Manufacturing Development Commission	Title 30, Chapter 41, Code of Virginia	\$12,020		\$12,020
School Health Services Committee	Title 30, Chapter 64, Code of Virginia	\$28,040		\$28,040
Small Business Commission	Title 30, Chapter 22, Code of Virginia	\$15,131		\$15,131
State Water Commission	Title 30, Chapter 24, Code of Virginia	\$10,222		\$10,222
Virginia Coal and Energy Commission	Title 30, Chapter 25, Code of Virginia	\$21,629		\$21,629
Virginia Disability Commission	Title 30, Chapter 35, Code of Virginia	\$25,608		\$25,608
<b>Total</b>		<b>\$471,937</b>		<b>\$471,937</b>

S. The Division of Legislative Services shall provide staffing and operational support, as needed, for the legislative commissions listed within the table of the preceding paragraph R. of this item.

Total for General Assembly of Virginia.....			<b>\$59,457,146</b>	<b>\$59,437,146</b>
General Fund Positions.....	224.00	224.00		
Position Level.....	224.00	224.00		
Fund Sources: General.....	\$59,457,146	\$59,437,146		

**§ 1-2. AUDITOR OF PUBLIC ACCOUNTS (133)**

2.	Legislative Evaluation and Review (78300).....			\$15,637,832	\$15,637,832
	Financial and Compliance Audits (78301).....	\$15,637,832	\$15,637,832		
	Fund Sources: General.....	\$13,704,429	\$13,704,429		
	Special.....	\$1,933,403	\$1,933,403		

Authority: Article IV, Section 18, Constitution of Virginia; Title 30, Chapter 14, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Auditor of Public Accounts, \$218,491 from July 10, 2022 to June 9, 2023, and \$229,416 from June 10, 2023 to June 30, 2024.

B. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year pursuant to § 2.2-1829, Code of Virginia. The Auditor shall, at the same time, provide his report on (i) the 15 percent limitation and the amount that could be paid into the Revenue Stabilization Fund and (ii) any amounts necessary for deposit into the Fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.

C. The specifications of the Auditor of Public Accounts for the independent certified

ITEM 2.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

public accountants auditing localities shall include requirements for any money received by the sheriff. These requirements shall include that the independent certified public accountant must submit a letter to the Auditor of Public Accounts annually providing assurance as to whether the sheriff has maintained a proper system of internal controls and records in accordance with the Code of Virginia. This letter shall be submitted along with the locality's audit report.

D.1. Each locality establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, shall provide to the Auditor of Public Accounts by October 1 of each year, in a format specified by the Auditor, a report as to each program funded by these fees and the expected nutrient and sediment reductions for each of these programs. For any specific stormwater outfall generating more than \$200,000 in annual fees, such report shall include identification of specific actions to remediate nutrient and sediment reduction from the specific outfall.

2. The Auditor of Public Accounts shall include in the Specifications for Audits of Counties, Cities, and Towns regulations for all local governments establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, a requirement to ensure that each impacted local government is in compliance with the provisions of § 15.2-2114 A., Code of Virginia. Any such adjustment to the Specifications for Audits of Counties, Cities, and Towns regulations shall be exempt from the Administrative Process Act and shall be required for all audits completed after July 1, 2014.

E. The Auditor of Public Accounts' Specifications for Audits of Counties, Cities, and Towns and the Specifications for Audits of Authorities, Boards, and Commissions, for the independent certified public accountants auditing localities and local government entities, shall include requirements related to the communication of other internal control deficiencies or financial matters, commonly referred to as a management letter. These requirements shall include that any such communication issued by the independent certified public accountants related to other internal control deficiencies or other financial matters that merit the attention of management and the governing body must be made in the form of official, written communication.

F. Out of the amounts appropriated in this item, \$325,000 the first year and \$325,000 the second year from the general fund shall be available to implement compensation adjustments to address recruitment and retention. Implementation of the salary adjustments is contingent on the approval of a compensation plan by the Committee on Joint Rules

Total for Auditor of Public Accounts.....			<b>\$15,637,832</b>	<b>\$15,637,832</b>
General Fund Positions.....	120.00	120.00		
Nongeneral Fund Positions.....	16.00	16.00		
Position Level.....	136.00	136.00		
Fund Sources: General.....	\$13,704,429	\$13,704,429		
Special.....	\$1,933,403	\$1,933,403		

**§ 1-3. COMMISSION ON THE VIRGINIA ALCOHOL SAFETY ACTION PROGRAM (413)**

3.	Ground Transportation System Safety Services (60500).....			\$2,550,431	\$2,550,431
	Ground Transportation Safety Promotion (60503).....	\$2,550,431	\$2,550,431		
	Fund Sources: Special.....	\$2,550,431	\$2,550,431		

Authority: §§ 18.2-271.1 and 18.2-271.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Executive Director, \$140,607 from July 10, 2022 to June 24, 2023 and \$147,637 from June 25, 2023 to June 30, 2024.

B. Notwithstanding the salaries listed in paragraph A. of this item, the Commission on the Virginia Alcohol Safety Action Program may establish a salary range for the Executive Director of the program.



ITEM 3.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
C. The Commission shall review its organizational and financial structure and develop recommended actions needed to achieve long-term fiscal stability. The Commission shall report its findings, to include any recommendations that require legislative action, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2022.				
	Total for Commission on the Virginia Alcohol Safety Action Program.....		\$2,550,431	\$2,550,431
	Nongeneral Fund Positions.....	11.50	11.50	
	Position Level.....	11.50	11.50	
	Fund Sources: Special.....	\$2,550,431	\$2,550,431	

**§ 1-4. DIVISION OF CAPITOL POLICE (961)**

4.	Administrative and Support Services (39900).....			\$15,438,915	\$15,438,915
	Security Services (39923).....	\$15,438,915	\$15,438,915		
	Fund Sources: General.....	\$15,438,915	\$15,438,915		
Authority: Title 30, Chapter 3.1, Code of Virginia.					
Out of this appropriation shall be paid the annual salary of the Chief, Division of Capitol Police, \$220,500 from July 10, 2022 to June, 9, 2023, and \$231,525 from June 10, 2023, to June 30, 2024.					
	Total for Division of Capitol Police.....			\$15,438,915	\$15,438,915
	General Fund Positions.....	121.00	121.00		
	Position Level.....	121.00	121.00		
	Fund Sources: General.....	\$15,438,915	\$15,438,915		

**§ 1-5. DIVISION OF LEGISLATIVE AUTOMATED SYSTEMS (109)**

5.	Information Technology Development and Operations (82000).....			\$8,328,169	\$6,555,697
	Computer Operations Services (82001).....	\$8,328,169	\$6,555,697		
	Fund Sources: General.....	\$8,040,567	\$6,268,095		
	Special.....	\$287,602	\$287,602		

Authority: Title 30, Chapter 3.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Automated Systems, \$190,777 from July 10, 2022 to June 9, 2023 and \$200,316 from June 10, 2023 to June 30, 2024.

B. Included in this appropriation is funding sufficient for the ongoing replacement of a legacy legislative bill tracking system. The expenditure of these funds is contingent on the Director of the Division of Legislative Automated Systems developing a detailed implementation plan and submitting the plan to the Committee on Joint Rules for its approval. Any procurement of a replacement legislative bill tracking system shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia and the contract review provisions of § 2.2-2012. The plan may propose to procure a replacement legislative bill tracking system using (i) a request for information or a request for proposal, singly or jointly or in any combination thereof, (ii) such other industry recognized procurement method for procuring a management information system, or (iii) such other procurement method that comports with the best interests of the Commonwealth in the determination of the Director.

C. Out of the amounts included in this item, \$201,140 the first year and \$201,140 the second year from the general fund is provided to complete the replacement of a legacy legislative bill tracking system.

ITEM 5.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
D. Out of the amounts included in this item, \$50,000 the first year and \$50,000 the second year from the general fund is provided for software, security, and infrastructure upgrades for the Division of Legislative Automated Systems.				
Total for Division of Legislative Automated Systems.			<b>\$8,328,169</b>	<b>\$6,555,697</b>
General Fund Positions.....		21.00	21.00	
Position Level.....		21.00	21.00	
Fund Sources: General.....		\$8,040,567	\$6,268,095	
Special.....		\$287,602	\$287,602	

**§ 1-6. DIVISION OF LEGISLATIVE SERVICES (107)**

6.	Legislative Research and Analysis (78400).....			\$8,738,378	\$8,738,378
	Bill Drafting and Preparation (78401).....	\$8,738,378	\$8,738,378		
	Fund Sources: General.....	\$8,718,346	\$8,718,346		
	Special.....	\$20,032	\$20,032		

Authority: Title 30, Chapter 2.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Services, \$183,500 from July 10, 2022 to June 9, 2023 and \$192,938 from June 10, 2023, to June 30, 2024.

B. Notwithstanding the salary set out in paragraph A. of this item, the Committee on Joint Rules may establish a salary range for the Director, Division of Legislative Services.

C. The Division of Legislative Services shall continue to provide administrative support to include payroll processing, accounting, and travel expense processing at no charge to the Behavioral Health Commission, the Chesapeake Bay Commission, the Joint Commission on Health Care, the Virginia Commission on Youth, and the Virginia State Crime Commission.

D. Out of this appropriation, \$250,000 the first year from the general fund is provided to support the work of the Senate Joint Resolution 47 (2014) Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century. The funding may be used to contract for expertise and assistance in its work to evaluate the community-based system of service delivery or other related topics as required by the work of the Joint Subcommittee. Any contractor hired shall evaluate the current system along with alternative delivery systems to provide the necessary information and assistance to the subcommittee in determining the most appropriate delivery system, or modifications to the current delivery system, that ensures access, quality, consistency, and accountability. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year.

E. Out of this appropriation, \$178,400 each year from the general fund is provided to support costs associated with the Joint Subcommittee to Examine the Commonwealth's Pandemic Response, authorized by Senate Joint Resolution 10 of the 2022 General Assembly.

Total for Division of Legislative Services.....			<b>\$8,738,378</b>	<b>\$8,738,378</b>
General Fund Positions.....		61.00	61.00	
Position Level.....		61.00	61.00	
Fund Sources: General.....		\$8,718,346	\$8,718,346	
Special.....		\$20,032	\$20,032	

**Capitol Square Preservation Council (820)**

7.	Architectural and Antiquity Research Planning and Coordination (74800).....			\$224,081	\$224,081
	Architectural Research (74801).....	\$224,081	\$224,081		
	Fund Sources: General.....	\$224,081	\$224,081		

Authority: Title 30, Chapter 28, Code of Virginia.

ITEM 7.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
			<b>\$224,081</b>	<b>\$224,081</b>
	Total for Capitol Square Preservation Council.....			
		2.00		2.00
		2.00		2.00
		\$224,081		\$224,081
8.	Not set out.			
<b>Dr. Martin Luther King, Jr. Memorial Commission (845)</b>				
9.	Human Relations Management (14600).....		\$100,659	\$100,659
		\$100,659	\$100,659	\$100,659
		\$100,659	\$100,659	\$100,659
	Authority: Title 30, Chapter 27, Code of Virginia.			
	Total for Dr. Martin Luther King, Jr. Memorial Commission.....		<b>\$100,659</b>	<b>\$100,659</b>
		\$100,659	\$100,659	\$100,659
<b>Joint Commission on Technology and Science (847)</b>				
10.	Technology Research, Planning, and Coordination (53700).....		\$232,887	\$232,887
		\$232,887	\$232,887	\$232,887
		\$232,887	\$232,887	\$232,887
	Authority: Title 30, Chapter 11, Code of Virginia.			
	Total for Joint Commission on Technology and Science.....		<b>\$232,887</b>	<b>\$232,887</b>
		2.00		2.00
		2.00		2.00
		\$232,887	\$232,887	\$232,887
<b>Commissioners for the Promotion of Uniformity of Legislation in the United States (145)</b>				
11.	Governmental Affairs Services (70100).....		\$87,547	\$87,547
		\$87,547	\$87,547	\$87,547
		\$87,547	\$87,547	\$87,547
	Authority: Title 30, Chapter 29, Code of Virginia.			
	Commissioners shall receive no compensation for their services from the funds appropriated in this item, but their necessary travel and hotel expenses shall be reimbursed, subject to the approval of the Joint Rules Committee or to the joint approval of the Speaker of the House of Delegates and the Chair of the Senate Committee on Rules.			
	Total for Commissioners for the Promotion of Uniformity of Legislation in the United States.....		<b>\$87,547</b>	<b>\$87,547</b>
		\$87,547	\$87,547	\$87,547
12.	Not set out.			
13.	Not set out.			

ITEM 14.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
14.	Enactment of Laws (78200).....			\$93,432	\$93,432
	Code Modernization (78201).....	\$93,432	\$93,432		
	Fund Sources: General.....	\$69,400	\$69,400		
	Special.....	\$24,032	\$24,032		
	Authority: Title 30, Chapter 15, Code of Virginia.				
	The Code Commission shall not authorize, or undertake, a re-numbering or re-codification of the Code of Virginia, 1950 as amended unless there is a specific appropriation included in a general Appropriation Act addressing the fiscal impact of such an action. The Commission is authorized to develop a proposal, for review by the Committee on Joint Rules, to re-number the Code of Virginia, including the proposed re-numbering structure and a detailed estimate of any potential fiscal impact on state agencies from the restructuring.				
	Total for Virginia Code Commission.....			<b>\$93,432</b>	<b>\$93,432</b>
	Fund Sources: General.....	\$69,400	\$69,400		
	Special.....	\$24,032	\$24,032		
	<b>Virginia Freedom of Information Advisory Council (834)</b>				
15.	Governmental Affairs Services (70100).....			\$245,803	\$245,803
	Public Information Services (70109).....	\$245,803	\$245,803		
	Fund Sources: General.....	\$245,803	\$245,803		
	Authority: Title 30, Chapter 21, Code of Virginia.				
	Total for Virginia Freedom of Information Advisory Council.....			<b>\$245,803</b>	<b>\$245,803</b>
	General Fund Positions.....	2.00	2.00		
	Position Level.....	2.00	2.00		
	Fund Sources: General.....	\$245,803	\$245,803		
	<b>Virginia Housing Commission (840)</b>				
16.	Housing Assistance Services (45800).....			\$417,624	\$423,874
	Housing Research and Planning (45803).....	\$417,624	\$423,874		
	Fund Sources: General.....	\$417,624	\$423,874		
	Authority: § 30-257, Code of Virginia.				
	Total for Virginia Housing Commission.....			<b>\$417,624</b>	<b>\$423,874</b>
	General Fund Positions.....	3.00	3.00		
	Position Level.....	3.00	3.00		
	Fund Sources: General.....	\$417,624	\$423,874		
	<b>Brown v. Board of Education Scholarship Committee (858)</b>				
17.	Human Relations Management (14600).....			\$25,358	\$25,358
	Human Relations Management (14601).....	\$25,358	\$25,358		
	Fund Sources: General.....	\$25,358	\$25,358		
	Authority: Title 30, Chapter 34.1, Code of Virginia.				
	Total for Brown v. Board of Education Scholarship Committee.....			<b>\$25,358</b>	<b>\$25,358</b>
	Fund Sources: General.....	\$25,358	\$25,358		
18.	Not set out.				

ITEM 18.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
19.	Not set out.				
20.	Not set out.				
21.	Not set out.				
22.	Not set out.				
23.	Not set out.				

**Virginia Conflict of Interest and Ethics Advisory Council (876)**

24.	Personnel Management Services (70400).....			\$635,143	\$635,143
	Personnel Management Services (70400).....	\$598,874	\$598,874		
	Agency Human Resource Services (70401).....	\$36,269	\$36,269		
	Fund Sources: General.....	\$635,143	\$635,143		
	Authority: Chapters 792 and 804 of the 2014 Acts of Assembly.				
	Out of the the amounts appropriated to the Council, an amount estimated at \$195,000 each year is from lobbyist registration fees pursuant to § 2.2-424, Code of Virginia.				
	Total for Virginia Conflict of Interest and Ethics Advisory Council.....			<b>\$635,143</b>	<b>\$635,143</b>
	General Fund Positions.....	5.00	5.00		
	Position Level.....	5.00	5.00		
	Fund Sources: General.....	\$635,143	\$635,143		

25. Not set out.

**Virginia-Israel Advisory Board (330)**

26.	Economic Development Services (53400).....			\$277,425	\$227,425
	Economic Development Research, Planning, and Coordination (53401).....	\$266,173	\$216,173		
	Economic Development Services (53412).....	\$11,252	\$11,252		
	Fund Sources: General.....	\$277,425	\$227,425		
	Total for Virginia-Israel Advisory Board.....			<b>\$277,425</b>	<b>\$227,425</b>
	General Fund Positions.....	1.00	1.00		
	Position Level.....	1.00	1.00		
	Fund Sources: General.....	\$277,425	\$227,425		

27. Not set out.

**Commission on the May 31, 2019 Virginia Beach Mass Shooting (879)**

28.	Research, Planning, and Coordination (78800).....			\$38,504	\$38,504
	Policy Research and Planning (78801).....	\$38,504	\$38,504		
	Fund Sources: General.....	\$38,504	\$38,504		

Authority: Discretionary Inclusion

A. The Commission to Investigate the May 31, 2019, Virginia Beach Mass Shooting is established as an independent commission. The purpose of the Commission is to conduct an independent, thorough, objective incident review of the May 31, 2019, tragedy and

ITEM 28.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
make recommendations regarding improvements that can be made in the Commonwealth's laws, policies, procedures, systems, and institutions, as well as those of other governmental agencies and private providers.				
B.1. The Commission shall consist of 22 members appointed as follows: five nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; five nonlegislative citizen members to be appointed by the Senate Committee on Rules; and 11 nonlegislative citizen members to be appointed by the Governor. The Superintendent of State Police shall serve ex officio as a nonvoting member of the Commission. One of the nonlegislative citizen members shall serve as a victim advocate; all other nonlegislative citizen member of the Commission shall have significant experience as either a (i) law-enforcement officer, (ii) jurist, (iii) local government administrator, (iv) qualified, licensed forensic psychologist, (v) first responder, (vi) security expert, or (vii) IT specialist, and no nonlegislative citizen members of the Commission shall be currently serving in an elected capacity. The Governor shall appoint at least one person from each of the occupations and professions described in clauses (i) through (vii). Every effort shall be made to ensure that appointees do not have a conflict of interest yet can provide the best insight into their specialization. The Commission shall elect a chairman and vice-chairman from among its membership.				
2. Unless otherwise approved in writing by the chairman of the Commission, Commission members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.				
C.1. The Commission shall: (i) investigate the underlying motive for the May 31, 2019, Virginia Beach mass shooting; (ii) investigate the gunman's personal background and entire prior employment history with the City of Virginia Beach and his interactions with coworkers and supervisors, including but not limited to formal documentation and informal incidents; (iii) determine how the gunman was able to carry out his actions; (iv) identify any obstacles confronted by first responders; (v) identify and examine the security procedures and protocols in place immediately prior to the mass shooting; (vi) examine the post-shooting communications between law enforcement and the families of the victims; (vii) assess such other matters as it deems necessary to gain a comprehensive understanding of the tragic events of May 31, 2019, and (viii) develop recommendations regarding improvements that can be made in the Commonwealth's laws, policies, procedures, systems, and institutions, as well as those of other government agencies and private providers, to minimize the risk of a tragedy of this nature from ever occurring again in the Commonwealth.				
2. To the extent required by law, the Commission shall (i) protect the confidentiality of any individual's or family member's personal or health information and (ii) make public or publish information and findings only in summary or aggregate form without identifying personal or health information related to any individual or family member unless authorization is obtained from an individual or family member that specifically permits the Commission to disclose that person's personal or health information; and (iii) ensure that its investigation does not impede any investigation into the matter being conducted by law enforcement.				
D. The Office of the State Inspector General shall provide staff support to the Commission. All agencies of the Commonwealth shall provide assistance to the Office of the State Inspector General upon request. Upon the request of the Chairman, the Director of the Department of Planning and Budget may authorize a transfer of this appropriation to the Office of the State Inspector General to support the work of the Commission.				
E. Beginning in 2021, the Chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than November 1 of each year. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.				
Total for Commission on the May 31, 2019 Virginia Beach Mass Shooting.....			\$38,504	\$38,504
Fund Sources: General.....	\$38,504	\$38,504		
29. Not set out.				

ITEM 29.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<b>Commission to Study Slavery and Subsequent De Jure and De Facto Racial and Economic Discrimination Against African Americans (880)</b>					
30.	Research, Planning, and Coordination (78800).....			\$94,164	\$94,164
	Policy Research and Planning (78801).....	\$94,164	\$94,164		
	Fund Sources: General.....	\$94,164	\$94,164		
	Authority: Title 2.2, Chapter 25, Article 11, Code of Virginia.				
	Total for Commission to Study Slavery and Subsequent De Jure and De Facto Racial and Economic Discrimination Against African Americans.....			<b>\$94,164</b>	<b>\$94,164</b>
	Fund Sources: General.....	\$94,164	\$94,164		
	Grand Total for Division of Legislative Services.....			<b>\$11,211,005</b>	<b>\$11,167,255</b>
	General Fund Positions.....	76.00	76.00		
	Position Level.....	76.00	76.00		
	Fund Sources: General.....	\$11,166,941	\$11,123,191		
	Special.....	\$44,064	\$44,064		
<b>§ 1-7. CHESAPEAKE BAY COMMISSION (842)</b>					
31.	Resource Management Research, Planning, and Coordination (50700).....			\$343,630	\$343,630
	Resource Management Policy and Program Development (50701).....	\$343,630	\$343,630		
	Fund Sources: General.....	\$343,630	\$343,630		
	Authority: Title 30, Chapter 36, Code of Virginia.				
	Total for Chesapeake Bay Commission.....			<b>\$343,630</b>	<b>\$343,630</b>
	General Fund Positions.....	1.00	1.00		
	Position Level.....	1.00	1.00		
	Fund Sources: General.....	\$343,630	\$343,630		
<b>§ 1-8. JOINT COMMISSION ON HEALTH CARE (844)</b>					
32.	Health Research, Planning, and Coordination (40600).....			\$981,532	\$981,532
	Health Policy Research (40606).....	\$981,532	\$981,532		
	Fund Sources: General.....	\$981,532	\$981,532		
	Authority: Title 30, Chapter 18, Code of Virginia.				
	Total for Joint Commission on Health Care.....			<b>\$981,532</b>	<b>\$981,532</b>
	General Fund Positions.....	7.00	7.00		
	Position Level.....	7.00	7.00		
	Fund Sources: General.....	\$981,532	\$981,532		
<b>§ 1-9. BEHAVIORAL HEALTH COMMISSION (882)</b>					
33.	Health Research, Planning, and Coordination (40600).....			\$608,507	\$608,507
	Behavioral Health Policy Research (40610).....	\$608,507	\$608,507		
	Fund Sources: General.....	\$608,507	\$608,507		

ITEM 33.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Authority: Title 30, Chapter 63, Code of Virginia.				
The Behavioral Health Commission shall conduct a study of how to maximize school-based mental health services across the Commonwealth. The Commission shall form a task force of local school administrators, school-based mental health professionals, community-based mental health professionals in public and private settings, teachers, students, and parents as well as relevant stakeholders from the Departments of Medical Assistance Services, Behavioral Health and Developmental Services, and Education to evaluate the current reach of school-based mental health services and to identify strategies to connect mental health clinical interventions (Tier 2 and Tier 3) to school settings. The Commission shall consider opportunities to align Medicaid-funded behavioral health services included in Project BRAVO and school-initiated services that will be newly eligible under the “free care rule” implementation. In addition, the Commission shall provide relevant information related to the role of qualified mental health professionals eligible to provide these services and opportunities to identify where they can be appropriately included and compensated to meet student mental health needs. Other initiatives, such as youth peer support specialists, recovery high schools, and school-based health centers shall be included as well. The Commission shall make recommendations about strategies to implement and expand school-based mental health services by December 1, 2023.				
			<b>\$608,507</b>	<b>\$608,507</b>
	Total for Behavioral Health Commission.....			
	General Fund Positions.....	4.00		
	Position Level.....	4.00		
	Fund Sources: General.....	\$608,507		
<b>§ 1-10. VIRGINIA COMMISSION ON YOUTH (839)</b>				
34.	Social Services Research, Planning, and Coordination (45000).....		\$383,652	\$383,652
	Social Services Research and Planning (45003).....	\$383,652	\$383,652	
	Fund Sources: General.....	\$383,652	\$383,652	
Authority: Title 30, Chapter 20, Code of Virginia.				
	Total for Virginia Commission on Youth.....		<b>\$383,652</b>	<b>\$383,652</b>
	General Fund Positions.....	3.00		
	Position Level.....	3.00		
	Fund Sources: General.....	\$383,652		
<b>§ 1-11. VIRGINIA STATE CRIME COMMISSION (142)</b>				
35.	Criminal Justice Research, Planning and Coordination (30500).....		\$1,379,453	\$1,379,453
	Criminal Justice Research (30503).....	\$1,379,453	\$1,379,453	
	Fund Sources: General.....	\$1,241,911	\$1,241,911	
	Federal Trust.....	\$137,542	\$137,542	
Authority: Title 30, Chapter 16, Code of Virginia.				
	Total for Virginia State Crime Commission.....		<b>\$1,379,453</b>	<b>\$1,379,453</b>
	General Fund Positions.....	9.00		
	Nongeneral Fund Positions.....	4.00		
	Position Level.....	13.00		
	Fund Sources: General.....	\$1,241,911	\$1,241,911	
	Federal Trust.....	\$137,542	\$137,542	

**§ 1-12. JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION (110)**



ITEM 36.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
36.	Legislative Evaluation and Review (78300).....			\$5,856,936	\$5,756,936
	Performance Audits and Evaluation (78303).....	\$5,856,936	\$5,756,936		
	Fund Sources: General.....	\$5,727,654	\$5,627,654		
	Trust and Agency.....	\$129,282	\$129,282		

Authority: Title 30, Chapters 7 and 8, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Joint Legislative Audit and Review Commission (JLARC), \$186,905 from July 10, 2022, to June 9, 2023, and \$196,250 from June 10, 2023, to June 30, 2024.

B. Expenses associated with the oversight responsibility of the Virginia Retirement System by JLARC and the House Appropriations and Senate Finance and Appropriations Committees shall be reimbursed by the Virginia Retirement System upon documentation by the Director, JLARC of the expenses incurred.

C. Out of this appropriation, funds are provided to continue the technical support staff of JLARC, in order to assist with legislative fiscal impact analysis when an impact statement is referred from the Chairman of a standing committee of the House or Senate, and to conduct oversight of the expenditure forecasting process. Pursuant to existing statutory authority, all agencies of the Commonwealth shall provide access to information necessary to accomplish these duties.

D.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Virginia Information Technologies Agency (VITA) on a continuing basis and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance and Appropriations Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) VITA's infrastructure outsourcing contracts and any amendments thereto; (ii) adequacy of VITA's planning and oversight responsibilities, including VITA's oversight of information technology projects and the security of governmental information; (iii) cost-effectiveness and adequacy of VITA's procurement services and its oversight of the procurement activities of State agencies.

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of VITA.

4. Records provided to VITA by a private entity pertaining to VITA's comprehensive infrastructure agreement or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure shall be exempt from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), to the extent that such records contain (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) or (ii) financial records of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise. In order for the records specified in clauses (i) and (ii) to be excluded from the Virginia Freedom of Information Act, the private entity shall make a written request to VITA:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data or other materials for which protection is sought; and
- c. Stating the reasons why protection is necessary.

VITA shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. VITA shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision. Once a written determination is made by VITA, the records afforded protection under this subdivision shall continue to be protected from disclosure when in

ITEM 36.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
the possession of VITA or JLARC.				
<p>Except as specifically provided in this item, nothing in this item shall be construed to authorize the withholding of (a) procurement records as required by § 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by VITA and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of the private entity under the comprehensive infrastructure agreement, or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure.</p> <p>5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for VITA review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.</p> <p>6. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.</p> <p>E.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to conduct, on a continuing basis, a review and evaluation of economic development initiatives and policies and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance and Appropriations Committee.</p> <p>2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) spending on and performance of individual economic development incentives, including grants, tax preferences, and other assistance; (ii) economic benefits to Virginia of total spending on economic development initiatives at least biennially; (iii) effectiveness, value to taxpayers, and economic benefits to Virginia of individual economic development initiatives on a cycle approved by the Commission; and (iv) design, oversight, and accountability of economic development entities, initiatives, and policies as needed.</p> <p>3. For the purpose of carrying out its duties under this authority and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the facilities, employees, information, and records, including confidential information, and the public and executive session meetings and records of the board of VEDP, involved in economic development initiatives and policies for the purpose of carrying out such duties in accordance with the established standards, processes, and practices exercised by JLARC pursuant to its statutory authority. Access shall include the right to attend such meetings for the purpose of carrying out such duties. Any non-disclosure agreement that VEDP enters into on or after July 1, 2016, for the provision of confidential and proprietary information to VEDP by a third party shall require that JLARC also be allowed access to such information for the purposes of carrying out its duties.</p> <p>4. Notwithstanding the provisions of subsection A or B of § 58.1-3 or any other provision of law, unless prohibited by federal law, an agreement with a federal entity, or a court decree, the Tax Commissioner is authorized to provide to JLARC such tax information as may be necessary to conduct oversight of economic development initiatives and policies.</p> <p>5. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:</p> <p>(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its oversight of economic development initiatives and policies, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.</p> <p>(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its oversight of economic development initiatives and policies where, if such records are made public, the financial interest of the private entity would be adversely affected.</p>				

ITEM 36.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
6. By August 15 of each year, the Secretary of Commerce and Trade shall provide to JLARC all information collected pursuant to § 2.2-206.2, Code of Virginia, in a format and manner specified by JLARC to ensure that the final report to be submitted by the Secretary fulfills the intent of the General Assembly and provides the data and evaluation in a meaningful manner for decision-makers.				
7. JLARC shall assist the agencies submitting information to the Secretary of Commerce and Trade pursuant to the provisions of § 2.2-206.2, Code of Virginia, to ensure that the agencies work together to effectively develop standard definitions and measures for the data required to be reported and facilitate the development of appropriate unique project identifiers to be used by the impacted agencies.				
8. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for ongoing review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.				
9. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.				
10. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.				
F. Notwithstanding the salaries listed in paragraph A. of this item, the Joint Legislative Audit and Review Commission (JLARC) may establish a salary range for the Director of JLARC.				
G.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the agencies and programs under the Secretary of Health and Human Resources (HHR) on a continuing basis.				
2. Review and evaluation work shall be directed by JLARC in consultation with the Joint Committee for Health and Human Resources Oversight.				
3. Review and evaluation shall include, but not be limited to (i) studies of agencies or programs; (ii) targeted analysis of spending trends and other issues warranting examination; and (iii) assessment of the soundness and accuracy of population and spending forecasts, including the process, assumptions, methodology, and results.				
4. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of all agencies within the HHR secretariat.				
5. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:				
(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its evaluation of agencies and programs within the HHR secretariat, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.				
(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its evaluation of agencies and programs within the HHR secretariat where, if such records are made public, the financial interest of the private entity would be adversely affected.				
6. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for ongoing review and evaluation of agencies and programs within the HHR secretariat, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.				
7. JLARC may employ on a consulting basis such professional or technical experts as may				

ITEM 36.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	be reasonably necessary for the Commission to fulfill its responsibilities under this authority.			
	8. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.			
	H.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Commonwealth's enterprise resource planning and related financial, payroll, personnel management and benefit eligibility systems (Cardinal) on a continuing basis and to provide such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance and Appropriations Committee.			
	2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) procurement for the planning, development, implementation, operation, and maintenance of Cardinal and any subsequent contracts and amendments thereto; (ii) the development, implementation, performance, and costs of Cardinal; (iii) the long-term viability of the technologies utilized in Cardinal; (iv) the adequacy of the system of governance for Cardinal, including the responsibility for, and control of specific data in Cardinal, the responsibility for systems support and maintenance, and the appropriate role of the Virginia Information Technologies Agency; and (v) the security of governmental and personally identifiable information contained in Cardinal.			
	3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of all state agencies and institutions.			
	4. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:			
	(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its evaluation of Cardinal, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.			
	(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its evaluation of Cardinal where, if such records are made public, the financial interest of the private entity would be adversely affected.			
	5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for Cardinal review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.			
	6. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.			
	7. All agencies and institutions of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.			
	I. The clerk of each circuit court shall provide the Joint Legislative Audit and Review Commission with all case data in an electronic format from its own case management system or the statewide Circuit Case Management System upon request of the Commission. If the statewide Circuit Case Management System is used by the clerk, when requested by the Commission, the Executive Secretary of the Supreme Court shall provide for the transfer of such data to the Commission. The Commission may use the data for research, evaluation, or statistical purposes only and shall ensure the confidentiality and security of the data. The Commission shall only publish analyses based on this data as needed for its reports, fiscal impact reviews, or racial and ethnic impact statements as required by the General Assembly. The Commission shall not publish personal or case identifying information, including names, social security numbers and dates of birth, which may be included in the data from a case management system. Upon transfer to the Joint Legislative Audit and Review Commission, such data shall not be subject to the Virginia Freedom of Information Act. Except for the publishing of personal or case identifying information, including names, social security			

ITEM 36.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>numbers and dates of birth, the restrictions in this section shall not prohibit the Commission from sharing aggregate data in reports, fiscal impact reviews, or racial and ethnic impact statements.</p> <p>J. The Joint Legislative Audit and Review Commission shall engage, on a limited basis, the professional and technical consultants retained for the November 2019 Report "Gaming in the Commonwealth" for a limited review of the potential state and local revenues that may be generated from a casino located in the City of Petersburg, including any potential negative revenue impact on casinos located in other authorized host cities.</p> <p>K. JLARC shall evaluate and review the cost of competing adjustment (COCA) as a part of its study on SOQ standards and funding.</p>				
Total for Joint Legislative Audit and Review Commission.....			<b>\$5,856,936</b>	<b>\$5,756,936</b>
General Fund Positions.....		41.00	41.00	
Nongeneral Fund Positions.....		1.00	1.00	
Position Level.....		42.00	42.00	
Fund Sources: General.....		\$5,727,654	\$5,627,654	
Trust and Agency.....		\$129,282	\$129,282	

**§ 1-13. VIRGINIA COMMISSION ON INTERGOVERNMENTAL COOPERATION (105)**

37.	Governmental Affairs Services (70100).....			\$847,301	\$847,301
	Interstate Affairs (70103).....	\$847,301	\$847,301		
	Fund Sources: General.....	\$847,301	\$847,301		

Authority: Title 30, Chapter 19, Code of Virginia.

Out of this appropriation may be paid from the general fund the annual assessments:

1. To the National Conference of State Legislatures;
2. To the Council of State Governments;
3. To the Southern Regional Education Board; and
4. To the Education Commission of the States.

Total for Virginia Commission on Intergovernmental Cooperation.....			<b>\$847,301</b>	<b>\$847,301</b>
Fund Sources: General.....		\$847,301	\$847,301	

**§ 1-14. LEGISLATIVE DEPARTMENT REVERSION CLEARING ACCOUNT (102)**

38.	Enactment of Laws (78200).....			\$710,315	\$710,315
	Undesignated Support for Enactment of Laws Services (78205).....	\$710,315	\$710,315		
	Fund Sources: General.....	\$710,315	\$710,315		

Authority: Discretionary Inclusion.

A. Transfers out of this appropriation may be made to fund unanticipated costs in the budgets of legislative agencies or other such costs approved by the Joint Rules Committee.

B. Included within this appropriation is an amount estimated at \$200,000 the first year and \$200,000 the second year from the general fund and one position for the operation of the Capitol Guides program. The allocation of these funds shall be subject to the approval of the Committee on Joint Rules. The Capitol Guides program shall be jointly administered by the Clerk of the House of Delegates and the Clerk of the Senate.

ITEM 38.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Total for Legislative Department Reversion Clearing Account.....			<b>\$710,315</b>	<b>\$710,315</b>
General Fund Positions.....	1.00	1.00		
Position Level.....	1.00	1.00		
Fund Sources: General.....	\$710,315	\$710,315		
<b>TOTAL FOR LEGISLATIVE DEPARTMENT.....</b>			<b>\$123,734,824</b>	<b>\$121,798,602</b>
General Fund Positions.....	628.00	628.00		
Nongeneral Fund Positions.....	32.50	32.50		
Position Level.....	660.50	660.50		
Fund Sources: General.....	\$118,652,500	\$116,716,278		
Special.....	\$4,815,500	\$4,815,500		
Trust and Agency.....	\$129,282	\$129,282		
Federal Trust.....	\$137,542	\$137,542		

ITEM 39.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**JUDICIAL DEPARTMENT**

**§ 1-15. SUPREME COURT (111)**

39.	Pre-Trial, Trial, and Appellate Processes (32100)....		\$15,511,010	\$15,511,010
	Appellate Review (32101).....	\$10,225,110		
	Other Court Costs And Allowances (Criminal Fund) (32104).....	\$5,285,900		
	Fund Sources: General.....	\$15,331,730		
	Special.....	\$179,280		

Authority: Article VI, Sections 1 through 6, Constitution of Virginia; Title 17.1, Chapter 3 and § 19.2-163, Code of Virginia.

A. Out of the amounts for Appellate Review shall be paid:

1. The annual salary of the Chief Justice, \$222,618 from July 10, 2022 to June 30, 2023, \$233,749 from July 1, 2023 to June 30, 2024.
2. The annual salaries of the six (6) Associate Justices, each \$208,808 from July 10, 2022 to June 30, 2023, \$219,248 from July 1, 2023 to June 30, 2024.
3. To each justice, \$13,500 the first year and \$13,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.

B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2022, in the appropriation made in Item 36, Chapter 552, Acts of Assembly of 2021, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2023.

C.1. Out of the amounts appropriated in this Item, \$5,175,000 the first year and \$5,175,000 the second year from the general fund is included for increased reimbursements for court-appointed counsel pursuant to § 19.2-163, Code of Virginia.

2. The Director, Department of Planning and Budget, shall upon the request of the Executive Secretary of the Supreme Court of Virginia, transfer from the second year amount identified in Paragraph C.1. of this item to the first year an amount equal to the estimated shortfall for criminal fund waivers in the first year. Any such request shall be submitted by the Executive Secretary no later than May 1st of any fiscal year. Any amounts transferred shall be communicated to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than 30 days following any such transfer.

D. The Executive Secretary of the Supreme Court of Virginia shall encourage training of Juvenile and Domestic Relations District Court judges regarding the options available for court-ordered services for families in truancy cases prior to the initiation of other remedies.

40.	Law Library Services (32300).....		\$1,098,678	\$1,098,678
	Law Library Services (32301).....	\$1,098,678		
	Fund Sources: General.....	\$1,098,678		

Authority: §§ 42.1-60 through 42.1-64, Code of Virginia.

41.	Adjudication Training, Education, and Standards (32600).....		\$899,140	\$899,140
	Judicial Training (32603).....	\$899,140		
	Fund Sources: General.....	\$899,140		

Authority: Title 16.1, Chapter 9; Title 17.1, Chapter 7; §§ 2.2-4025, 19.2-38.1 and 19.2-43, Code of Virginia.

ITEM 41.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
42.	Administrative and Support Services (39900).....			\$46,906,862	\$46,903,157
	General Management and Direction (39901).....	\$46,906,862	\$46,903,157		
	Fund Sources: General.....	\$36,610,138	\$36,606,433		
	Special.....	\$124,375	\$124,375		
	Dedicated Special Revenue.....	\$8,857,604	\$8,857,604		
	Federal Trust.....	\$1,314,745	\$1,314,745		

Authority: §§ 16.1-69.30, 16.1-69.33, 17.1-314 through 17.1-320 and 17.1-502, Code of Virginia.

A. The Executive Secretary of the Supreme Court shall submit an annual fiscal year summary, on or before September 1 of each year, to the Chairmen of the House Appropriations and Senate Finance Committees and to the Director, Department of Planning and Budget, which will report the number of individuals for whom legal or medical services were provided and the nature and cost of such services as are authorized for payment from the criminal fund or the involuntary mental commitment fund.

B. Notwithstanding the provisions of § 19.2-326, Code of Virginia, the amount of attorney's fees allowed counsel for indigent defendants in appeals to the Supreme Court shall be in the discretion of the Supreme Court.

C. The Chief Justice is authorized to reallocate legal support staff between the Supreme Court and the Court of Appeals of Virginia, in order to meet changing workload demands.

D. Prior to January 1 of each year, the Judicial Council and the Committee on District Courts are requested to submit a fiscal impact assessment of their recommendations for the creation of any new judgeships, including the cost of judicial retirement, to the Chairs of the House Committee on Courts of Justice and Senate Committee on the Judiciary, and the House Appropriations and Senate Finance and Appropriations Committees.

E. Included in this Item is \$3,750,000 the first year and \$3,750,000 the second year from the general fund, which may support computer system improvements for the several circuit and district courts. The Executive Secretary of the Supreme Court shall submit an annual report to the Director, Department of Planning and Budget on or before September 1 of each year outlining the improvement projects undertaken and the project status of each project. Each project in the report should include the life to date cost of the project, the amount spent on the project in the most recently completed fiscal year, the year the project began, the estimated cost to complete the remainder of the project and an estimated project completion date.

F. Given the continued concern about providing adequate compensation levels for court-appointed attorneys providing criminal indigent defense in the Commonwealth, the Executive Secretary of the Supreme Court, in conjunction with the Governor, Attorney General, Indigent Defense Commission, representatives of the Indigent Defense Stakeholders Group and Chairs of the House Committee on Courts of Justice and Senate Committee on the Judiciary, shall continue to study and evaluate all available options to enhance Virginia's Indigent Defense System.

G. In addition to any filing fee or other fee permitted by law, an electronic access fee may be charged for each case filed electronically pursuant to Rule 1:17 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia. Moneys collected pursuant to this fee shall be deposited into the State Treasury to the credit of the Courts Technology Fund established pursuant to § 17.1-132, to be used to support the costs of statewide electronic filing systems.

H. 1. No state funds used to support the operation of drug court programs shall be provided to programs that serve first-time substance abuse offenders only or do not include probation violators. This restriction shall not apply to juvenile drug court programs.

2. Notwithstanding the provisions of subsection O. of § 18.2-254.1, Code of Virginia, any locality is authorized to establish a drug treatment court supported by existing state resources and by federal or local resources that may be available. This authorization is subject to the requirements and conditions regarding the establishment and operation of a local drug treatment court advisory committee as provided by § 18.2-254.1 and the requirements and



ITEM 42.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>conditions established by the state Drug Treatment Court Advisory Committee. Any drug court treatment program established after July 1, 2012, shall limit participation in the program to offenders who have been determined, through the use of a nationally recognized, validated assessment tool, to be addicted to or dependent on drugs. However, no such drug court treatment program shall limit its participation to first-time substance abuse offenders only; nor shall it exclude probation violators from participation.</p>				
<p>3. The evaluation of drug treatment court programs required by § 18.2-254.1 shall include the collection of data needed for outcome measures, including recidivism. Drug treatment court programs shall provide to the Office of the Executive Secretary of the Supreme Court the information needed to conduct such an evaluation.</p>				
<p>4. Included within this appropriation is \$960,000 the first year and \$960,000 the second year from the general fund for drug courts in jurisdictions with high drug caseloads, to be allocated by the State Drug Treatment Court Advisory Committee to existing drug courts which have been approved by the Supreme Court of Virginia but have not previously received state funding.</p>				
<p>I. Notwithstanding the provisions of § 16.1-69.48, Code of Virginia, the Executive Secretary of the Supreme Court shall ensure the deposit of all Commonwealth collections directly into the State Treasury for Item 45 General District Courts, Item 46 Juvenile and Domestic Relations District Courts, Item 47 Combined District Courts, and Item 48 Magistrate System.</p>				
<p>J. Included in this appropriation, \$289,000 the first year and \$289,000 the second year from the general fund is provided to implement the Judicial Performance Evaluation Program established by § 17.1-100 of the Code of Virginia.</p>				
<p>K. Working in collaboration with the Chief Justice and Associate Justices of the Supreme Court of Virginia and the Chief Judge and Associate Judges of the Court of Appeals of Virginia, the Executive Secretary of the Supreme Court, in consultation with the Director of the Department of General Services, is directed to develop a comprehensive plan that meets the future space needs of both courts around Capitol Square, which is acceptable to the Chief Justice of the Supreme Court of Virginia and the Chief Judge of the Court of Appeals of Virginia.</p>				
<p>L. Included in this appropriation, \$175,321 the first year and \$175,321 the second year from nongeneral funds and two positions to support drug treatment court evaluation and monitoring. The source of funds is the Drug Offender Assessment Fund.</p>				
<p>M. Included in the amounts appropriated for this item are \$400,000 the first year and \$400,000 the second year from the general fund to be allocated by the State Drug Treatment Court Advisory Committee for the establishment of drug courts in jurisdictions with high drug-related caseloads, or to increase funding provided to existing drug court programs experiencing high caseload growth.</p>				
<p>N. Included in this appropriation is \$500,000 the first year and \$500,000 the second year from the general fund to support the creation and expansion of mental health court dockets in jurisdictions with high caseloads, to be allocated by the Virginia Supreme Court.</p>				
<p>O.1. There is hereby created in the state treasury a special nonreverting fund to be known as the Attorney Wellness Fund, hereinafter referred to as the Fund. The Fund shall be established on the books of the Comptroller. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of the fiscal year shall not revert to the general fund, but shall remain in the Fund. Except for transfers pursuant to this Item, there shall be no transfers out of the Fund, including transfers to the general fund.</p>				
<p>2. Notwithstanding the provisions of § 54.1-3912, Code of Virginia, in addition to any other fee permitted by law, the Supreme Court of Virginia may adopt rules assessing members of the Virginia State Bar an annual fee of up to \$30 to be deposited in the State Bar Fund and transferred to the Attorney Wellness Fund.</p>				
<p>3. Moneys in the Fund shall be allocated at the direction of the Supreme Court of Virginia solely for the purposes of wellness initiatives for attorneys, judges, and law students, to</p>				

ITEM 42.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>prevent substance abuse and behavioral health disorders. The revenue raised in support of the Fund shall not be used to supplant current funding to the judicial branch. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the Executive Secretary of the Supreme Court of Virginia.</p> <p>P. The Office of the Executive Secretary of the Supreme Court shall prepare and distribute evaluation forms in all Circuit Court cases that are overseen by a retired judge for the purpose of collecting information on the number and types of cases referred to retired judges, and use such information to prepare and annually publish a report to be distributed to the members of the House Committee on Courts of Justice and the Senate Committee on the Judiciary, on or about January 1, each year.</p> <p>Q. Included in this appropriation is \$1,539,033 the first year and \$1,539,033 the second year for the implementation of an automatic expungement process pursuant to House Bill 2113 and Senate Bill 1339 of the 2021 Session of the General Assembly.</p> <p>R. Included in the amounts appropriated for this item is \$94,963 each year from the general fund to implement the Hope Card Program in all circuit and district courts in the Commonwealth.</p> <p>S. The Office of the Executive Secretary (OES), in consultation with the Veterans Docket Advisory Committee established pursuant to Virginia Supreme Court Rule 1:25(e) and the Virginia Department of Veterans Services, will promote localized training to enable correctional and other criminal justice system entities to identify inmates or defendants who have served in the United States military. Such training will encourage use of the Virginia Reentry Search Services (VRSS) developed by the U.S. Veterans Administration to facilitate direct outreach to these veterans, and to inform the development of veteran-specific programs in the criminal justice system including the establishment of a Veterans Docket pursuant to Rule 1:25(b). OES will offer support for jurisdictions applying for funding consistent with Virginia Code 18.2-254.2 (B).</p>				
Total for Supreme Court.....			<b>\$64,415,690</b>	<b>\$64,411,985</b>
General Fund Positions.....			240.63	240.63
Nongeneral Fund Positions.....			8.00	8.00
Position Level.....			248.63	248.63
Fund Sources: General.....			\$53,939,686	\$53,935,981
Special.....			\$303,655	\$303,655
Dedicated Special Revenue.....			\$8,857,604	\$8,857,604
Federal Trust.....			\$1,314,745	\$1,314,745

**Court of Appeals of Virginia (125)**

43.	Pre-Trial, Trial, and Appellate Processes (32100).....			\$18,236,792	\$18,236,792
	Appellate Review (32101).....	\$18,231,792	\$18,231,792		
	Other Court Costs And Allowances (Criminal Fund) (32104).....	\$5,000	\$5,000		
	Fund Sources: General.....	\$18,236,792	\$18,236,792		

Authority: Title 17.1, Chapter 4 and § 19.2-163, Code of Virginia.

A. Out of the amounts in this Item for Appellate Review shall be paid:

1. The annual salary of the Chief Judge, \$201,518 from July 10, 2022 to June 30, 2023, \$211,594 from July 1, 2023 to June 30, 2024.

2. The annual salaries of the sixteen (16) judges, each at \$198,368 from July 10, 2022 to June 30, 2023, \$208,286 from July 1, 2023 to June 30, 2024.

3. Salaries of the judges are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional \$3,000 annually.

ITEM 43.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>4. To each judge, \$6,500 the first year and \$6,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.</p> <p>B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2022, in the appropriation made in Item 40, Chapter 552, Acts of Assembly of 2021, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2023.</p> <p>C. The amount of attorney's fees allowed counsel to indigent defendants in appeals to the Court of Appeals shall be in the discretion of the court.</p> <p>D. Out of the amounts appropriated in this Item, \$7,613,112 the first year and \$7,613,112 the second year from the general fund to support additional judges and associated staff to address anticipated workload increases related to legislation adopted by the 2021 Session of the General Assembly that expands the jurisdiction and organization of the Court of Appeals of Virginia.</p>				
Total for Court of Appeals of Virginia.....			<b>\$18,236,792</b>	<b>\$18,236,792</b>
General Fund Positions.....	125.13	125.13		
Position Level.....	125.13	125.13		
Fund Sources: General.....	\$18,236,792	\$18,236,792		

**Circuit Courts (113)**

44.	Pre-Trial, Trial, and Appellate Processes (32100)....			\$114,175,390	\$114,172,090
	Trial Processes (32103).....	\$50,811,360	\$50,808,060		
	Other Court Costs And Allowances (Criminal Fund) (32104).....	\$63,364,030	\$63,364,030		
	Fund Sources: General.....	\$114,175,390	\$114,172,090		

Authority: Article VI, Section 1, Constitution of Virginia; Title 17.1, Chapter 5; § 19.2-163, Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of Circuit Court judges, each at \$193,848 from July 10, 2022 to June 30, 2023, \$203,540 from July 1, 2023 to June 30, 2024. Such salaries shall represent the total compensation from all sources for Circuit Court judges.

2. Expenses necessarily incurred for the position of judge of the Circuit Court, including clerk hire not exceeding \$1,500 a year for each judge.

3. The state's share of expenses incident to the prosecution of a petition for a writ of habeas corpus by an indigent petitioner, including payment of counsel fees as fixed by the Court; the expenses shall be paid upon receipt of an appropriate order from a Circuit Court.

4. A circuit 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.

B. The Chief Circuit Court Judge shall restrict the appointment of special justices to conduct involuntary mental commitment hearings to those unusual instances when no General District Court or Juvenile and Domestic Relations District Court Judge can be made available or when the volume of the hearings would require more than eight hours a week.

C. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2022, in the appropriation made in Item 41, Chapter 552, Acts of Assembly of 2021, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2023.

ITEM 44.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p> <p>E.1. General fund appropriations for Other Court Costs and Allowances (Criminal Fund) total \$130,509,977 the first year and \$130,509,977 the second year in this Item and Items 39, 43, 45, 46 and 47.</p> <p>2. The Chief Justice of the Supreme Court of Virginia shall determine how the amounts appropriated to Other Courts Costs and Allowances (Criminal Fund) will be allocated, consistent with statutory provisions in the Code of Virginia. Funds within these appropriations are to be used to fund fully the statutory caps on compensation applicable to attorneys appointed by the court to defend criminal charges. Should this appropriation not be sufficient to fund fully all of the statutory caps on compensation as established by § 19.2-163, Code of Virginia, that this appropriation shall be applied first to fully fund the statutory caps for the most serious noncapital felonies and then, should funds still remain in this appropriation, to the other statutory caps, in declining order of the severity of the charges to which each cap is applicable.</p> <p>3. Notwithstanding the provisions of § 19.2-163, Code of Virginia, the amount of compensation allowed to counsel appointed by the court to defend a felony charge that may be punishable by death shall be calculated on an hourly basis at a rate set by the Supreme Court of Virginia.</p> <p>F. Mandated changes or improvements to court facilities pursuant to § 15.2-1643, Code of Virginia, or otherwise, including any new construction, shall be delayed at the request of the local governing body in which the court is located until June 30, 2024. The provisions of this item shall not apply to facilities that were subject to litigation on or before November 30, 2008.</p> <p>G. In order to reduce expenditures through the Criminal Fund for court-appointed counsel, compensation paid to attorneys appointed pursuant to Virginia Code § 53.1-40 shall be limited to \$55 per hour, with a maximum per diem compensation of \$200, except in cases where the appointed attorney is appointed to represent indigent prisoners at more than one state prison, and in such cases their billing shall be capped monthly at \$6,000, plus reasonable expenses, to be paid from the Criminal Fund.</p> <p>H.1. Notwithstanding the provisions of § 19.2-155, Code of Virginia, in cases where an Attorney for the Commonwealth must recuse himself from a case or a special prosecutor must be appointed, the circuit court judge must appoint an Attorney for the Commonwealth or an Assistant Attorney for the Commonwealth from another jurisdiction. If the circuit court judge determines that the appointment of such Attorney for the Commonwealth or such Assistant Attorney for the Commonwealth is not appropriate or that such an attorney or assistant is unavailable then the judge must request approval from the Executive Secretary of the Supreme Court for an exception to this requirement.</p> <p>2. The Executive Secretary of the Supreme Court shall include in the annual report required in paragraph A. of Item 42 information on the number of exceptions granted related to special prosecutors and the related expenditures.</p> <p>I. Notwithstanding any other provisions of Chapter 23 of Title 8.1 of the Code of Virginia, a reasonable fee not to exceed \$150 may be charged by Commissioners of Accounts for any foreclosures on a timeshare estate to reimburse them for the reasonable costs associated therewith.</p>				
			<b>\$114,175,390</b>	<b>\$114,172,090</b>
	General Fund Positions.....	154.00	154.00	
	Position Level.....	154.00	154.00	
	Fund Sources: General.....	\$114,175,390	\$114,172,090	
<b>General District Courts (114)</b>				
45.	Pre-Trial, Trial, and Appellate Processes (32100).....		\$143,605,277	\$143,970,803

ITEM 45.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Trial Processes (32103).....	\$119,740,319	\$120,105,845		
Other Court Costs And Allowances (Criminal Fund) (32104).....	\$17,935,793	\$17,935,793		
Involuntary Mental Commitments (32105).....	\$5,929,165	\$5,929,165		
Fund Sources: General.....	\$143,605,277	\$143,970,803		

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, \$174,464 from July 10, 2022 to June 30, 2023, \$183,187 from July 1, 2023 to June 30, 2024. 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, 2022, in the appropriation made in Item 42, Chapter 552, Acts of Assembly of 2021 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, 2023.

C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 45, 46, 47, and 302, 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 \$15,431,783 the first year and \$15,431,783 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.

H. Included within the appropriation for this item is \$4,020,781 the first year and \$4,386,307 the second year from the general fund to increase the base wage and salaries of all clerks and deputy clerks of the general district courts and the juvenile and domestic relations courts by \$2,000, effective July 10, 2022.

Total for General District Courts.....			<b>\$143,605,277</b>	<b>\$143,970,803</b>
General Fund Positions.....	1,276.10	1,276.10		
Position Level.....	1,276.10	1,276.10		
Fund Sources: General.....	\$143,605,277	\$143,970,803		

**Juvenile and Domestic Relations District Courts (115)**

46.	Pre-Trial, Trial, and Appellate Processes (32100)....			\$109,065,565	\$109,065,565
	Trial Processes (32103).....	\$72,619,067	\$72,619,067		

ITEM 46.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Other Court Costs And Allowances (Criminal Fund) (32104).....	\$36,181,751	\$36,181,751		
Involuntary Mental Commitments (32105).....	\$264,747	\$264,747		
Fund Sources: General.....	\$109,065,565	\$109,065,565		
<p>Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-69.58, 16.1-226 through 16.1-334, 19.2-163 and 37.2-809 through 37.2-813., Code of Virginia.</p> <p>A. Out of the amounts in this Item for Trial Processes shall be paid:</p> <p>1. The annual salaries of all full-time Juvenile and Domestic Relations District Court Judges, \$174,464 from July 10, 2022 to June 30, 2023, \$183,187 from July 1, 2023 to June 30, 2024. 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 Juvenile and Domestic Relations District Court Judges.</p> <p>2. The salaries of substitute judges and court personnel.</p> <p>B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2022, in the appropriation made in Item 43, Chapter 552, Acts of Assembly of 2021, 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, 2023.</p> <p>C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 45, 46, 47, and 302, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.</p> <p>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.</p> <p>E. Out of the amounts appropriated in this Item, \$310,300 the first year and \$310,300 the second year from the general fund is included to cover the cost of fee changes to mediators appointed in any custody and support or visitation cases.</p> <p>F. Notwithstanding the provisions of § 20-124.4, Code of Virginia, the fee paid to mediators shall be \$120 per appointment mediated. For such purpose, \$303,000 the first year and \$303,000 the second year from the general fund is included in the appropriation for this item.</p> <p>G. Notwithstanding any other provision of law, during a declared judicial state of emergency as defined in § 17.1-330, Code of Virginia, and for up to 90 days after the declaration has been rescinded or expires, a chief judge may waive the ceremonial requirements pursuant to § 46.2-336, Code of Virginia, or otherwise conduct juvenile licensing ceremonies in an alternative manner prescribed by the court. The judge may mail or otherwise deliver driver's licenses to licensees at the time such licenses are received by the judge. The Chief judge may also coordinate with the Department of Motor Vehicles to have licenses mailed directly to licensees.</p>				
Total for Juvenile and Domestic Relations District Courts.....			<b>\$109,065,565</b>	<b>\$109,065,565</b>
General Fund Positions.....	611.10	611.10		
Position Level.....	611.10	611.10		
Fund Sources: General.....	\$109,065,565	\$109,065,565		
<b>Combined District Courts (116)</b>				
47. Pre-Trial, Trial, and Appellate Processes (32100).....			\$23,659,622	\$23,659,622
Trial Processes (32103).....	\$14,373,059	\$14,373,059		
Other Court Costs And Allowances (Criminal Fund) (32104).....	\$7,737,503	\$7,737,503		
Involuntary Mental Commitments (32105).....	\$1,549,060	\$1,549,060		
Fund Sources: General.....	\$23,659,622	\$23,659,622		

ITEM 47.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Authority: Article VI, Section 8, Constitution of Virginia, §§ 16.1-69.1 through 16.1-137, 16.1-226 through 16.1-334, 19.2-163, and 37.2-809 through 37.2-813, Code of Virginia.				
A. Out of the amounts in this Item for Trial Processes shall be paid 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, 2022, in the appropriation made in Item 44, Chapter 552, Acts of Assembly of 2021, 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, 2023.				
C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 45, 46, 47, and 302, 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 shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.				
.				
	Total for Combined District Courts.....		<b>\$23,659,622</b>	<b>\$23,659,622</b>
	General Fund Positions.....	195.55	195.55	
	Position Level.....	195.55	195.55	
	Fund Sources: General.....	\$23,659,622	\$23,659,622	
<b>Magistrate System (103)</b>				
48.	Pre-Trial, Trial, and Appellate Processes (32100)....		\$38,333,727	\$38,528,011
	Pre-Trial Assistance (32102).....	\$38,333,727	\$38,528,011	
	Fund Sources: General.....	\$38,333,727	\$38,528,011	
Authority: Article VI, Section 8, Constitution of Virginia; Title 19.2, Chapter 3, Code of Virginia.				
A. Out of the amounts appropriated in this Item, \$3,885,675 the first year and \$4,079,959 the second year from the general fund is included to implement the Office of the Executive Secretary of the Supreme Court's magistrate retention plan, which shall become effective no earlier than July 10, 2022. The Executive Secretary shall report on the allocation of these funds and their effectiveness in addressing the workforce challenges in the Magistrate System. The report shall detail the number of vacancies, identify and report on specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of departures and vacancies. A report is due to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, no later than October 15, 2023.				
	Total for Magistrate System.....		<b>\$38,333,727</b>	<b>\$38,528,011</b>
	General Fund Positions.....	423.20	423.20	
	Position Level.....	423.20	423.20	
	Fund Sources: General.....	\$38,333,727	\$38,528,011	
	Grand Total for Supreme Court.....		<b>\$511,492,063</b>	<b>\$512,044,868</b>
	General Fund Positions.....	3,025.71	3,025.71	
	Nongeneral Fund Positions.....	8.00	8.00	
	Position Level.....	3,033.71	3,033.71	
	Fund Sources: General.....	\$501,016,059	\$501,568,864	
	Special.....	\$303,655	\$303,655	
	Dedicated Special Revenue.....	\$8,857,604	\$8,857,604	

ITEM 48.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	Federal Trust.....	\$1,314,745	\$1,314,745	
<b>§ 1-16. BOARD OF BAR EXAMINERS (233)</b>				
49.	Regulation of Professions and Occupations (56000)...			\$1,820,982
	Lawyer Regulation (56019).....	\$1,820,982	\$1,820,982	
	Fund Sources: Special.....	\$1,820,982	\$1,820,982	
Authority: Title 54.1, Chapter 39, Articles 3 and 4 and § 54.1-3934, Code of Virginia.				
The State Comptroller shall continue the Board of Bar Examiners Fund on the Cardinal system. Revenues collected from fees paid by applicants for admission to the bar shall be deposited into the Board of Bar Examiners Fund. The source of nongeneral funds included in this item is the Board of Bar Examiners Fund. Interest generated by the fund shall be retained by the fund.				
	Total for Board of Bar Examiners.....			<b>\$1,820,982</b>
	Nongeneral Fund Positions.....	9.00	9.00	
	Position Level.....	9.00	9.00	
	Fund Sources: Special.....	\$1,820,982	\$1,820,982	
<b>§ 1-17. JUDICIAL INQUIRY AND REVIEW COMMISSION (112)</b>				
50.	Adjudication Training, Education, and Standards (32600).....			\$707,601
	Judicial Standards (32602).....	\$707,601	\$707,601	
	Fund Sources: General.....	\$707,601	\$707,601	
Authority: Article VI, Section 10, Constitution of Virginia; Title 17.1, Chapter 9, Code of Virginia.				
	Total for Judicial Inquiry and Review Commission....			<b>\$707,601</b>
	General Fund Positions.....	3.00	3.00	
	Position Level.....	3.00	3.00	
	Fund Sources: General.....	\$707,601	\$707,601	
<b>§ 1-18. INDIGENT DEFENSE COMMISSION (848)</b>				
51.	Legal Defense (32700).....			\$69,536,300
	Criminal Indigent Defense Services (32701).....	\$65,304,782	\$65,304,782	
	Legal Defense Regulatory Services (32703).....	\$229,524	\$229,524	
	Administrative Services (32722).....	\$4,001,994	\$4,001,994	
	Fund Sources: General.....	\$69,524,320	\$69,524,320	
	Special.....	\$11,980	\$11,980	
Authority: §§ 19.2-163.01 through 19.2-163.8, Code of Virginia				
A. Pursuant to § 19.2-163.01, Code of Virginia, the Executive Director of the Indigent Defense Commission shall serve at the pleasure of the commission.				
B. Out of the amounts in this Item, \$200,000 the first year and \$200,000 the second year from the general fund is provided to support two positions to enforce and monitor compliance with the new Standards of Practice for court-appointed counsel.				
C. Out of the amounts in this item, \$6,558,009 the first year and \$6,558,009 the second year from the general fund is provided to hire additional public defender positions to address increased workloads and reduce turnover in offices across the Commonwealth. The Commission may direct a portion of the funding for salary adjustments, including increasing starting salaries for attorneys and adjusting salaries for current staff to address turnover rates				



ITEM 51.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
within the offices.				
D. The Commission shall convene a workgroup to assess the feasibility of creating an Appellate Defender Office.				
Total for Indigent Defense Commission.....			<b>\$69,536,300</b>	<b>\$69,536,300</b>
General Fund Positions.....	709.00	709.00		
Position Level.....	709.00	709.00		
Fund Sources: General.....	\$69,524,320	\$69,524,320		
Special.....	\$11,980	\$11,980		

**§ 1-19. VIRGINIA CRIMINAL SENTENCING COMMISSION (160)**

52.	Adjudicatory Research, Planning, and Coordination (32400).....			\$1,626,046	\$1,626,046
	Adjudicatory Research And Planning (32403).....	\$1,626,046	\$1,626,046		
	Fund Sources: General.....	\$1,555,977	\$1,555,977		
	Special.....	\$70,069	\$70,069		

Authority: Title 17.1, Chapter 8, Code of Virginia

A. For any fiscal impact statement prepared by the Virginia Criminal Sentencing Commission pursuant to § 30-19.1:4, Code of Virginia, for which the commission does not have sufficient information to project the impact, the commission shall assign a minimum fiscal impact of \$50,000 to the bill and this amount shall be printed on the face of each such bill, but shall not be codified. The provisions of § 30-19.1:4, paragraph H. shall be applicable to any such bill.

B. The clerk of each circuit court shall provide the Virginia Criminal Sentencing Commission case data in an electronic format from its own case management system or the statewide Circuit Case Management System. If the statewide Circuit Case Management System is used by the clerk, when requested by the Commission, the Executive Secretary of the Supreme Court shall provide for the transfer of such data to the Commission. The Commission may use the data for research, evaluation, or statistical purposes only and shall ensure the confidentiality and security of the data. The Commission shall only publish statistical reports and analyses based on this data as needed for its annual reports or for other reports as required by the General Assembly. The Commission shall not publish personal or case identifying information, including names, social security numbers and dates of birth, that may be included in the data from a case management system. Upon transfer to the Virginia Criminal Sentencing Commission, such data shall not be subject to the Virginia Freedom of Information Act. Except for the publishing of personal or case identifying information, including names, social security numbers and dates of birth, the restrictions in this section shall not prohibit the Commission from sharing aggregate data when requested by a member of the General Assembly, the Office of the Attorney General, the Office of the Governor, or a member of the Governor's Cabinet.

Total for Virginia Criminal Sentencing Commission.....			<b>\$1,626,046</b>	<b>\$1,626,046</b>
General Fund Positions.....	12.00	12.00		
Position Level.....	12.00	12.00		
Fund Sources: General.....	\$1,555,977	\$1,555,977		
Special.....	\$70,069	\$70,069		

**§ 1-20. VIRGINIA STATE BAR (117)**

53.	Legal Defense (32700).....			\$18,574,120	\$18,574,120
	Indigent Defense, Civil (32704).....	\$18,574,120	\$18,574,120		
	Fund Sources: General.....	\$9,224,120	\$9,224,120		

ITEM 53.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Special.....	\$8,350,000	\$8,350,000		
Dedicated Special Revenue.....	\$1,000,000	\$1,000,000		
Authority: § 17.1-278, Code of Virginia.				
A.1. The amounts for Indigent Defense, Civil, include up to \$75,000 the first year and up to \$75,000 the second year from the general fund for the Community Tax Law Project, to provide indigent defense services in matters related to taxation disputes, and educational services involving the rights and responsibilities of taxpayers.				
2. The amounts for Indigent Defense, Civil, include up to \$9,131,100 the first year and up to \$9,131,100 the second year from the general fund to provide grants for high quality civil legal assistance to low income Virginians and to promote equal access to justice.				
B. The Virginia State Bar and the Legal Services Corporation of Virginia shall annually, on or about January 1, provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget regarding the status of legal services assistance programs in the Commonwealth. The report shall include, but not be limited to, efforts to maintain and improve the accuracy of caseload data, case opening and case closure information, and program activity levels as it relates to clients.				
54.	Regulation of Professions and Occupations (56000)...		\$16,227,764	\$16,227,764
	Lawyer Regulation (56019).....	\$16,227,764	\$16,227,764	
	Fund Sources: Dedicated Special Revenue.....	\$16,227,764	\$16,227,764	
Authority: Title 54.1, Chapter 39, Article 2 and §§ 54.1-3935 through 54.1-3938, Code of Virginia.				
A. It is the intention of the General Assembly that the Virginia State Bar strictly direct its activities toward the purposes of regulating the legal profession and improving the quality of legal services available to the people of the Commonwealth, and that, insofar as reasonably possible, the Virginia State Bar shall refrain from commercial or other undertakings not necessarily or reasonably related to the above stated purposes.				
B. Out of the amounts appropriated for this Item, \$1,000,000 the first year and \$1,000,000 the second year from revenues generated from the assessment of annual fees by the Supreme Court of Virginia upon members of the Virginia State Bar, pursuant to Chapter 847, 2007 Acts of Assembly, is provided for transfer to the Clients' Protection Fund of the Virginia State Bar.				
C. The Virginia State Bar shall review its member fee structure and make changes necessary to ensure fees are set at amounts needed only to cover costs and to provide for an appropriate balance.				
	Total for Virginia State Bar.....		\$34,801,884	\$34,801,884
	Nongeneral Fund Positions.....	89.00	89.00	
	Position Level.....	89.00	89.00	
	Fund Sources: General.....	\$9,224,120	\$9,224,120	
	Special.....	\$8,350,000	\$8,350,000	
	Dedicated Special Revenue.....	\$17,227,764	\$17,227,764	
	<b>TOTAL FOR JUDICIAL DEPARTMENT.....</b>		<b>\$619,984,876</b>	<b>\$620,537,681</b>
	General Fund Positions.....	3,749.71	3,749.71	
	Nongeneral Fund Positions.....	106.00	106.00	
	Position Level.....	3,855.71	3,855.71	
	Fund Sources: General.....	\$582,028,077	\$582,580,882	
	Special.....	\$10,556,686	\$10,556,686	
	Dedicated Special Revenue.....	\$26,085,368	\$26,085,368	
	Federal Trust.....	\$1,314,745	\$1,314,745	

ITEM 55.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**EXECUTIVE DEPARTMENT**

**EXECUTIVE OFFICES**

**§ 1-21. OFFICE OF THE GOVERNOR (121)**

55.	Administrative and Support Services (79900).....			\$7,280,020	\$7,000,864
	General Management and Direction (79901).....	\$7,280,020	\$7,000,864		
	Fund Sources: General.....	\$7,256,027	\$6,976,871		
	Federal Trust.....	\$23,993	\$23,993		

Authority: Article V, Constitution of Virginia; Title 2.2, Chapter 1, Code of Virginia.

A. This appropriation includes \$175,000 the first year and \$175,000 the second year from the general fund to pay the salary of the Governor.

B. Out of the amounts for General Management and Direction, \$75,000 each year is included for the Governor's discretionary expenses.

C. Out of the appropriation for this item \$103,800 from the general fund is provided each year for the Governor's Fellows program. Any balances remaining from the appropriation identified in this paragraph shall be brought forward and made available to support the Governor's Fellows in the subsequent fiscal year. The Department of Planning and Budget is authorized to transfer amounts from the appropriation in this paragraph to applicable state agencies as required to execute the purposes of this paragraph.

D. This item includes \$479,500 the first year and \$479,500 the second year from the general fund and four and a half positions for the Office of the Children's Ombudsman.

E.1. Out of this appropriation, \$75,000 the first year from the general fund is provided to support a comprehensive review of workforce development in the state.

2. The Governor shall designate a member of the Executive Branch to be an advisor on Health Workforce Development in Virginia. This advisor may or may not have other duties and responsibilities. The Health Workforce Development advisor shall gather information to evaluate the status of health workforce development in the Commonwealth. The advisor also shall recommend options to improve such workforce development to make Virginia's health workforce the best it can be to maximize the health status of Virginians and the quality of health care provided to Virginians. The advisor shall work with Secretariats and state agencies, with designated boards, with the Virginia Health Workforce Development Authority, with regional bodies in Virginia, with private entities involved in health workforce development, and with charitable entities working to promote development of an outstanding health workforce. The advisor shall work with designated persons in the offices of the Secretaries of Labor, Health and Human Resources, Education, and Commerce and Trade. The Health Workforce Development advisor shall produce any reports requested by the Governor to help use the workforce to improve the health of Virginians and the quality of care provided.

56.	Human Relations Management (14600).....			\$1,612,616	\$1,816,772
	Diversity, Equity, and Inclusion Services (14602)...	\$1,612,616	\$1,816,772		
	Fund Sources: General.....	\$1,612,616	\$1,816,772		

Authority: Title 2.2, Chapter 6, Article 1, Code of Virginia.

57.	Historic and Commemorative Attraction Management (50200).....			\$816,397	\$816,397
	Executive Mansion Operations (50207).....	\$816,397	\$816,397		
	Fund Sources: General.....	\$816,397	\$816,397		

Authority: Title 2.2, Chapter 1, Code of Virginia.

58.	Governmental Affairs Services (70100).....			\$548,693	\$548,693
-----	--	--	--	-----------	-----------

ITEM 58.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Intergovernmental Relations (70101).....	\$548,693	\$548,693		
Fund Sources: General.....	\$375,445	\$375,445		
Commonwealth Transportation.....	\$173,248	\$173,248		
Authority: Title 2.2, Chapter 3, Code of Virginia.				
59. Disaster Planning and Operations (72200).....			a sum sufficient	
Disaster Operations (72202).....	a sum sufficient			
Disaster Assistance (72203).....	a sum sufficient			
Authority: Title 44, Chapter 3.2, Code of Virginia.				
A.1. The amount for Disaster Assistance is from all funds of the state treasury, not constitutionally restricted, and is to be effective only in the event of a declared state of emergency or authorization by the Governor of the sum sufficient, pursuant to § 44-146.28, Code of Virginia. Any appropriation authorized by this Item shall be transferred to state agencies for payment of eligible costs according to written directions of the Governor or by such other person or persons as may be designated by him for this purpose.				
2. Any amount authorized for expenditure pursuant to § 44-146.28, Code of Virginia, shall be paid to eligible jurisdictions in accordance with guidelines and procedures established by the Department of Emergency Management, pursuant to § 44-146.28, Code of Virginia.				
3. The amount calculated for disaster assistance for any event provided under this authority shall be made in consultation with the Secretary of Finance, and, as deemed appropriate by the Secretary, the Department of Planning and Budget.				
B. In the event of a Presidentially declared disaster, the state and local share of any federal assistance, hazard mitigation, or flood control programs in which the state participates will be determined in accordance with the procedures in the "Commonwealth of Virginia Emergency Operations Plan, Basic Plan," promulgated by the Department of Emergency Management. The state share of any such program shall be no less than 10 percent.				
Total for Office of the Governor.....			<b>\$10,257,726</b>	<b>\$10,182,726</b>
General Fund Positions.....	61.17	61.17		
Nongeneral Fund Positions.....	1.33	1.33		
Position Level.....	62.50	62.50		
Fund Sources: General.....	\$10,060,485	\$9,985,485		
Commonwealth Transportation.....	\$173,248	\$173,248		
Federal Trust.....	\$23,993	\$23,993		
<b>§ 1-22. LIEUTENANT GOVERNOR (119)</b>				
60. Administrative and Support Services (79900).....			\$408,926	\$408,926
General Management and Direction (79901).....	\$408,926	\$408,926		
Fund Sources: General.....	\$408,926	\$408,926		
Authority: Article V, Sections 13, 14, and 16, Constitution of Virginia; and Title 24.2, Chapter 2, Article 3, Code of Virginia.				
Out of this appropriation shall be paid:				
1. The salary of the Lieutenant Governor, \$36,321 the first year and \$36,321 the second year;				
2. Expenses of the Lieutenant Governor during sessions of the General Assembly on the same basis as for the members of the General Assembly;				
3. Salaries and benefits for compensation of up to three staff positions in the Office of the Lieutenant Governor.				
Total for Lieutenant Governor.....			<b>\$408,926</b>	<b>\$408,926</b>
General Fund Positions.....	4.00	4.00		

ITEM 60.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Position Level.....	4.00	4.00		
Fund Sources: General.....	\$408,926	\$408,926		

**§ 1-23. ATTORNEY GENERAL AND DEPARTMENT OF LAW (141)**

61.	Legal Advice (32000).....			\$47,175,927	\$48,368,110
	State Agency/Local Legal Assistance and Advice (32002).....	\$47,175,927	\$48,368,110		
	Fund Sources: General.....	\$32,975,470	\$34,167,653		
	Special.....	\$12,949,625	\$12,949,625		
	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 482 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

ITEM 61.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
conservation districts to be used to reimburse the districts for costs incurred.				
<p>F. The Attorney General shall prepare and submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations 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.</p> <p>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 who receive a non-salary stipend from their law school or another institution or recent law school graduates who graduated within the past two years sponsored by their graduating institution with a non-salary 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.</p>				
62.	Medicaid Program Services (45600).....		\$14,429,831	\$14,429,831
	Medicaid Fraud Investigation and Prosecution (45614).....	\$14,429,831	\$14,429,831	
	Fund Sources: Special.....	\$3,826,794	\$3,826,794	
	Federal Trust.....	\$10,603,037	\$10,603,037	
	Authority: Title 32.1, Chapter 9, Code of Virginia.			
63.	Regulation of Business Practices (55200).....		\$4,969,701	\$5,257,201
	Regulatory and Consumer Advocacy (55201).....	\$4,969,701	\$5,257,201	
	Fund Sources: General.....	\$2,674,170	\$2,961,670	
	Special.....	\$2,295,531	\$2,295,531	
	Authority: Title 2.2, Chapter 5, Code of Virginia.			

Included in this Item is \$1,250,000 the first year and \$1,250,000 the second year from special funds for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund as established in Item 48 of Chapter 966 of the Acts of Assembly 1994 and amended herein. The Department of Law is authorized to deposit to the fund any fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of regulatory and consumer advocacy litigation, litigation in which the Office of the Attorney General participates, or civil enforcement efforts including, but not limited to, those brought pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia. The Department of Law is also authorized to deposit to the fund any attorneys' fees which from time to time may be obtained. Any deposit to, and interest earnings on, the fund shall be retained in the fund, provided, however, that any amounts contained in the fund that exceed \$1,250,000 on the final day of the fiscal year shall be deposited to the credit of the general fund. In addition to the uses of the fund permitted by

ITEM 63.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Item 48 of Chapter 966 of the Acts of Assembly of 1994, the fund may be used to pay costs associated with enforcement efforts pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia, costs associated with litigation initiated by the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Chapter 9 of Title 37.2 of the Code of Virginia.</p>				
64.	<p>Any judgment rendered pursuant to the Virginia Tort Claims Act shall be paid out of the state treasury under the direction of the Attorney General. Claims against agencies funded solely from the general fund shall be paid from the general fund. Claims against agencies funded by both general and nongeneral funds shall be paid from a combination of funds based upon the appropriations from such funds.</p>			
65.	<p>Personnel Management Services (70400).....</p>		\$1,227,315	\$1,227,315
	<p>Compliance and Enforcement (70414).....</p>		\$1,227,315	\$1,227,315
	<p>Fund Sources: General.....</p>		\$1,150,866	\$1,150,866
	<p>Federal Trust.....</p>		\$76,449	\$76,449
<p>Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia.</p>				
<p>Total for Attorney General and Department of Law</p>			<b>\$67,802,774</b>	<b>\$69,282,457</b>
	<p>General Fund Positions.....</p>		313.75	326.75
	<p>Nongeneral Fund Positions.....</p>		203.25	203.25
	<p>Position Level.....</p>		517.00	530.00
	<p>Fund Sources: General.....</p>		\$36,800,506	\$38,280,189
	<p>Special.....</p>		\$19,071,950	\$19,071,950
	<p>Federal Trust.....</p>		\$11,930,318	\$11,930,318
<p><b>Division of Debt Collection (143)</b></p>				
66.	<p>Collection Services (74000).....</p>		\$3,477,852	\$3,477,852
	<p>State Collection Services (74001).....</p>		\$3,163,637	\$3,163,637
	<p>State Fraud Recovery Services (74002).....</p>		\$314,215	\$314,215
	<p>Fund Sources: Special.....</p>		\$3,477,852	\$3,477,852
<p>Authority: Title 2.2, Chapter 5 and Title 8.01, Chapter 3, Code of Virginia.</p>				
<p>A. 1. The Division of Debt Collection shall provide legal services and advice related to the collection of funds owed the Commonwealth, including the recovery of certain funds pursuant to the Virginia Fraud Against Taxpayers Act (FATA) (§ 8.01-216.1 et seq.) by the Commonwealth as defined by 8.01-216.2. All agencies and institutions shall follow the procedures for collection of funds owed the Commonwealth as specified in §§ 2.2-518 and 2.2-4800 et seq. of the Code of Virginia, and all agencies, institutions, and political subdivisions shall follow the procedures for recovery of funds as specified in §§ 2.2-518 and 8.01-216.1 et seq. of the Code of Virginia, except as provided otherwise therein or in this act.</p>				
<p>2. The provisions of this section shall not apply to any investigations, litigation, or recoveries related to matters handled under the authority granted to the Medicaid Fraud Control Unit within the Department of Law pursuant to the provisions of 42 C.F.R. § 1007 et seq. All matters pertaining to the recovery of such Medicaid funds, including damages, fines, and penalties received pursuant to FATA, are specifically excluded from the provisions of this section.</p>				
<p>B.1. The Division of Debt Collection is entitled to retain as fees up to 30 percent of any revenues generated by its collection services pursuant to paragraph A. to pay operating costs supported by the appropriation in this item.</p>				
<p>2. Upon closing its books at the end of the fiscal year, after the execution of all transfers to state agencies having claims collected by the Division of Debt Collection, the Division</p>				

ITEM 66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>may retain up to a \$400,000 balance in its operating accounts. Any amounts contained in the operating accounts that exceed \$400,000 on the final day of the fiscal year shall be deposited to the credit of the general fund no later than September 1 of the succeeding fiscal year.</p>				
<p>3. The Division of Debt Collection is entitled to retain as special revenue up to 30 percent of any funds recovered on behalf of the Commonwealth as well as any separate attorney's fees awarded to the Commonwealth pursuant to FATA for its fraud recovery services pursuant to paragraph A., to pay operating costs supported by the appropriation in this item.</p>				
<p>4. There shall be created on the books of the Comptroller a special, nonreverting, revolving fund to be known as the Fraud Recovery Fund (FATA Fund). The Division is authorized to deposit to the FATA Fund any revenue, fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of its fraud recovery services. The Division is also authorized to deposit to the FATA Fund any attorneys' fees which from time to time may be awarded to the Commonwealth. Any deposit to, and interest earnings on, the FATA Fund shall be retained in the FATA Fund. The Division shall retain 30% of any funds recovered as well as any separate attorney's fees awarded to the Commonwealth pursuant to FATA, and shall transfer the remaining funds to the appropriate state agencies and political subdivisions on a periodic basis or such other period of time approved by the Division.</p>				
<p>5. The Director, Department of Planning and Budget, may grant an exception to the provisions in paragraph B.2. if the Division of Debt Collection can show just cause.</p>				
<p>C. The Division of Debt Collection may contract with private collection agents for the collection of debts amounting to less than \$15,000.</p>				
Total for Division of Debt Collection.....			<b>\$3,477,852</b>	<b>\$3,477,852</b>
Nongeneral Fund Positions.....			27.00	27.00
Position Level.....			27.00	27.00
Fund Sources: Special.....			\$3,477,852	\$3,477,852
Grand Total for Attorney General and Department of Law.....			<b>\$71,280,626</b>	<b>\$72,760,309</b>
General Fund Positions.....			313.75	326.75
Nongeneral Fund Positions.....			230.25	230.25
Position Level.....			544.00	557.00
Fund Sources: General.....			\$36,800,506	\$38,280,189
Special.....			\$22,549,802	\$22,549,802
Federal Trust.....			\$11,930,318	\$11,930,318
<b>§ 1-24. SECRETARY OF THE COMMONWEALTH (166)</b>				
67.	Central Records Retention Services (73800).....			\$2,823,218
	Appointments (73801).....		\$1,987,164	\$1,987,164
	Authentications (73802).....		\$77,230	\$77,230
	Judicial Support Services (73803).....		\$570,946	\$570,946
	Lobbyist and Organization Registrations (73804).....		\$15,012	\$15,012
	Notaries Commissioning (73805).....		\$172,866	\$172,866
	Fund Sources: General.....		\$2,710,483	\$2,710,483
	Dedicated Special Revenue.....		\$112,735	\$112,735
<p>Authority: §§ 2.2-400 through 2.2-435, 2.2-3106, Code of Virginia.</p>				
<p>A. The fee charged by the Secretary of the Commonwealth under the provisions of § 2.2-409, Code of Virginia, for a Service of Process shall be \$28.00.</p>				
<p>B. Included in the general fund appropriation for this item is \$18,470 each year for costs related to the Virginia Indian Advisory Board, pursuant to § 2.2-401.01, Code of Virginia.</p>				
Total for Secretary of the Commonwealth.....			<b>\$2,823,218</b>	<b>\$2,823,218</b>



ITEM 67.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
General Fund Positions.....	19.00	19.00		
Position Level.....	19.00	19.00		
Fund Sources: General.....	\$2,710,483	\$2,710,483		
Dedicated Special Revenue.....	\$112,735	\$112,735		

**§ 1-25. OFFICE OF THE STATE INSPECTOR GENERAL (147)**

68.	Inspection, Monitoring, and Auditing Services (78700).....			\$7,406,425	\$7,406,425
	Inspection and Compliance of Program Operations (78701).....	\$7,406,425	\$7,406,425		
	Fund Sources: General.....	\$4,944,696	\$4,944,696		
	Special.....	\$282,390	\$282,390		
	Commonwealth Transportation.....	\$2,179,339	\$2,179,339		

Authority: Title 2.2, Chapter 3.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the State Inspector General \$173,669 from July 1, 2022 to June 30, 2023 and \$173,669 from July 1, 2023 to June 30, 2024.

B. The Office of the State Inspector General shall be responsible for investigating the management and operations of state agencies and nonstate agencies to determine whether acts of fraud, waste, abuse, or corruption have been committed or are being committed by state officers or employees or any officers or employees of a nonstate agency, including any allegations of criminal acts affecting the operations of state agencies or nonstate agencies. However, no investigation of an elected official of the Commonwealth to determine whether a criminal violation has occurred, is occurring, or is about to occur under the provisions of § 52-8.1 shall be initiated, undertaken, or continued except upon the request of the Governor, the Attorney General, or a grand jury.

C. The Office of the State Inspector General shall be responsible for coordinating and recommending standards for those internal audit programs in existence as of July 1, 2012, and developing and maintaining other internal audit programs in state agencies and nonstate agencies as needed in order to ensure that the Commonwealth's assets are subject to appropriate internal management controls. The State Inspector General shall assess the condition of the accounting, financial, and administrative controls of state agencies and nonstate agencies.

D. The Office of the State Inspector General shall be responsible for providing timely notification to the appropriate attorney for the Commonwealth and law-enforcement agencies whenever the State Inspector General has reasonable grounds to believe there has been a violation of state criminal law.

E. The Office of the State Inspector General shall be responsible for assisting citizens in understanding their rights and the processes available to them to express concerns regarding the activities of a state agency or nonstate agency or any officer or employee of the foregoing;

F.1. The Office of the State Inspector General shall be responsible for development, coordination and management of a program to train internal auditors. The Office of the State Inspector General shall assist internal auditors of state agencies and institutions in receiving continued professional education as required by professional standards. The Office of the State Inspector General shall coordinate its efforts with state institutions of higher education and offer training programs to the internal auditors as well as coordinate any special training programs for the internal auditors.

2. To fund the direct costs of hiring training instructors, the Office of the State Inspector General is authorized to collect fees from training participants to provide training events for internal auditors. A nongeneral fund appropriation of \$125,000 the first year and \$125,000 the second year is provided for use by the Office of the State Inspector General to facilitate the collection of payments from training participants for this purpose.

ITEM 68.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Total for Office of the State Inspector General.....			\$7,406,425	\$7,406,425
General Fund Positions.....	24.00	24.00		
Nongeneral Fund Positions.....	16.00	16.00		
Position Level.....	40.00	40.00		
Fund Sources: General.....	\$4,944,696	\$4,944,696		
Special.....	\$282,390	\$282,390		
Commonwealth Transportation.....	\$2,179,339	\$2,179,339		
<b>§ 1-26. INTERSTATE ORGANIZATION CONTRIBUTIONS (921)</b>				
69. Governmental Affairs Services (70100).....			\$190,939	\$190,939
Interstate Affairs (70103).....	\$190,939	\$190,939		
Fund Sources: General.....	\$190,939	\$190,939		
Authority: Discretionary Inclusion.				
Out of the amounts for Interstate Affairs funding is provided for the following organizational memberships:				
1. National Association of State Budget Officers				
2. National Governors' Association				
3. Federal Funds Information for States				
Total for Interstate Organization Contributions.....			\$190,939	\$190,939
Fund Sources: General.....	\$190,939	\$190,939		
TOTAL FOR EXECUTIVE OFFICES.....			\$92,367,860	\$93,772,543
General Fund Positions.....	421.92	434.92		
Nongeneral Fund Positions.....	247.58	247.58		
Position Level.....	669.50	682.50		
Fund Sources: General.....	\$55,116,035	\$56,520,718		
Special.....	\$22,832,192	\$22,832,192		
Commonwealth Transportation.....	\$2,352,587	\$2,352,587		
Dedicated Special Revenue.....	\$112,735	\$112,735		
Federal Trust.....	\$11,954,311	\$11,954,311		

ITEM 70.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**OFFICE OF ADMINISTRATION**

**§ 1-27. SECRETARY OF ADMINISTRATION (180)**

70.	Administrative and Support Services (79900).....			\$1,603,317	\$1,603,317
	General Management and Direction (79901).....	\$721,082	\$721,082		
	Accounting and Budgeting Services (79903).....	\$882,235	\$882,235		
	Fund Sources: General.....	\$1,603,317	\$1,603,317		

Authority: Title 2.2, Chapter 2, Code of Virginia.

71.	Central Support Services for Business Solutions (82400).....			\$4,903,279	\$5,503,279
	Information Technology Services for Data Exchange Programs (82401).....	\$4,903,279	\$5,503,279		
	Fund Sources: General.....	\$251,279	\$251,279		
	Internal Service.....	\$4,652,000	\$5,252,000		

Authority: § 2.2-203.2:4, Code of Virginia

Pursuant to § 2.2-2020, Code of Virginia, the nongeneral funds appropriated to this Item shall be used to support a data sharing and analytics program for the purposes of developing a database to identify data elements and document user access patterns. The database will also support the creation of an enterprise data dictionary and a cloud-based data catalog platform. Agencies, as defined in § 2.2-3801, Code of Virginia, shall cooperate with the Secretary of Administration to further develop the data sharing and analytics program.

	Total for Secretary of Administration.....			<b>\$6,506,596</b>	<b>\$7,106,596</b>
	General Fund Positions.....	13.00	13.00		
	Nongeneral Fund Positions.....	6.00	7.00		
	Position Level.....	19.00	20.00		
	Fund Sources: General.....	\$1,854,596	\$1,854,596		
	Internal Service.....	\$4,652,000	\$5,252,000		

**§ 1-28. COMPENSATION BOARD (157)**

72.	Financial Assistance for Sheriffs' Offices and Regional Jails (30700).....			\$573,722,067	\$584,196,128
	Financial Assistance for Regional Jail Operations (30710).....	\$198,332,868	\$204,067,663		
	Financial Assistance for Local Law Enforcement (30712).....	\$108,643,817	\$109,464,232		
	Financial Assistance for Local Court Services (30713).....	\$66,038,779	\$66,665,308		
	Financial Assistance to Sheriffs (30716).....	\$13,664,735	\$13,786,048		
	Financial Assistance for Local Jail Operations (30718).....	\$187,041,868	\$190,212,877		
	Fund Sources: General.....	\$565,719,409	\$576,193,470		
	Dedicated Special Revenue.....	\$8,002,658	\$8,002,658		

Authority: Title 15.2, Chapter 16, Articles 3 and 6.1; and §§ 53.1-83.1 and 53.1-85, Code of Virginia.

A.1. The annual salaries of the sheriffs of the counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and whether the sheriff is charged with civil processing and courtroom security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law

<b>ITEM 72.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2023</b>	<b>Second Year FY2024</b>	<b>First Year FY2023</b>	<b>Second Year FY2024</b>

enforcement responsibilities for the purpose of determining the salary for which a sheriff is eligible.

2. Whenever a sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this item and such sheriff shall receive as additional compensation the sum of one thousand dollars.

<b>August 1, 2022</b>	<b>July 1, 2023</b>	<b>December 1, 2023</b>
<b>to</b>	<b>to</b>	<b>to</b>
<b>June 30, 2023</b>	<b>November 30, 2023</b>	<b>June 30, 2024</b>

**Law Enforcement and Jail Responsibility**

Less than 10,000	\$78,853	\$82,796	\$82,796
10,000 to 19,999	\$90,633	\$95,165	\$95,165
20,000 to 39,999	\$99,599	\$104,579	\$104,579
40,000 to 69,999	\$108,260	\$113,673	\$113,673
70,000 to 99,999	\$120,288	\$126,302	\$126,302
100,000 to 174,999	\$133,657	\$140,340	\$140,340
175,000 to 249,999	\$140,688	\$147,722	\$147,722
250,000 and above	\$156,320	\$164,136	\$164,136

**Law Enforcement or Jail**

Less than 10,000	\$77,273	\$81,137	\$81,137
10,000 to 19,999	\$88,822	\$93,263	\$93,263
20,000 to 39,999	\$97,606	\$102,486	\$102,486
40,000 to 69,999	\$106,095	\$111,400	\$111,400
70,000 to 99,999	\$117,882	\$123,776	\$123,776
100,000 to 174,999	\$130,980	\$137,529	\$137,529
175,000 to 249,999	\$137,876	\$144,770	\$144,770
250,000 and above	\$153,976	\$161,675	\$161,675

**No Law Enforcement or Jail Responsibility**

Less than 10,000	\$72,609	\$76,239	\$76,239
10,000 to 19,999	\$80,676	\$84,710	\$84,710
20,000 to 39,999	\$89,637	\$94,119	\$94,119
40,000 to 69,999	\$99,599	\$104,579	\$104,579
70,000 to 99,999	\$110,667	\$116,200	\$116,200
100,000 to 174,999	\$122,960	\$129,108	\$129,108
175,000 to 249,999	\$129,430	\$135,902	\$135,902
250,000 and above	\$145,378	\$152,647	\$152,647

B. Out of the amounts provided for in this Item, no expenditures shall be made to provide security devices such as magnetometers in standard use in major metropolitan airports. Personnel expenditures for operation of such equipment incidental to the duties of courtroom and courthouse security deputies may be authorized, provided that no additional expenditures for personnel shall be approved for the principal purpose of operating these devices.

C. In accordance with the provisions of § 53.1-120, Code of Virginia, sheriffs are responsible for ensuring courtroom safety and chief judges are responsible, by agreement with the sheriff of the jurisdiction, for the designation of courtroom security deputies for their respective courts. However, unless a judge provides the sheriff with a written order stating that a substantial security risk exists in a particular case, no courtroom security deputies may be

ITEM 72.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

ordered by a judge for civil cases, not more than one deputy may be ordered by a judge for criminal cases in a district court, and not more than two deputies may be ordered by a judge for criminal cases in a circuit court. In complying with such orders for additional security, the sheriff may consider other deputies present in the courtroom as part of his security force.

D. Should the scheduled opening date of any facility be delayed for which funds are available in this Item, the Director, Department of Planning and Budget, may allot such funds as the Compensation Board may request to allow the employment of staff for training purposes not more than 45 days prior to the rescheduled opening date for the facility.

E. Consistent with the provisions of paragraph B of Item 79, the board shall allocate the additional jail deputies provided in this appropriation using a ratio of one jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the Department of Corrections. No additional deputy sheriffs shall be provided from this appropriation to a local jail in which the present staffing exceeds this ratio unless the jail is overcrowded. Overcrowding for these purposes shall be defined as when the average annual daily population exceeds the operational capacity. In those jails experiencing overcrowding, the board may allocate one additional jail deputy for every five average annual daily prisoners above operational capacity. Should overcrowding be reduced or eliminated in any jail, the Compensation Board shall reallocate positions previously assigned due to overcrowding to other jails in the Commonwealth that are experiencing overcrowding.

F. Two-thirds of the salaries set by the Compensation Board of medical, treatment, and inmate classification positions approved by the Compensation Board for local correctional facilities shall be paid out of this appropriation.

G.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a master deputy pay grade to those sheriffs' offices which had certified, on or before January 1, 1997, having a career development plan for deputy sheriffs that meet the minimum criteria set forth by the Compensation Board for such plans. The Compensation Board shall allow for additional grade 9 positions, at a level not to exceed one grade 9 master deputy per every five Compensation Board grade 7 and 8 deputy positions in each sheriff's office.

2. Each sheriff who desires to participate in the Master Deputy Program who had not certified a career development plan on or before January 1, 1997, may elect to participate by certifying to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board. Such election shall be made by July 1 for an effective date of participation the following July 1.

3. Subject to appropriations by the General Assembly for this purpose, funding shall be provided by the Compensation Board for participation in the Master Deputy Program to sheriffs' offices electing participation after January 1, 1997, according to the date of receipt by the Compensation Board of the election by the sheriff.

H. The Compensation Board shall estimate biannually the number of additional law enforcement deputies which will be needed in accordance with § 15.2-1609.1, Code of Virginia. Such estimate of the number of positions and related costs shall be included in the board's biennial budget request submission to the Governor and General Assembly. The allocation of such positions, established by the Governor and General Assembly in Item 79 of this act, shall be determined by the Compensation Board on an annual basis. The annual allocation of these positions to local sheriffs' offices shall be based upon the most recent final population estimate for the locality that is available to the Compensation Board at the time when the agency's annual budget request is completed. The source of such population estimates shall be the Weldon Cooper Center for Public Service of the University of Virginia or the United States Bureau of the Census. For the first year of the biennium, the Compensation Board shall allocate positions based upon the most recent provisional population estimates available at the time the agency's annual budget is completed.

I. Any amount in the program Financial Assistance for Sheriffs' Offices and Regional Jails

ITEM 72.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>may be transferred between Items 72 and 73, as needed, to cover any deficits incurred in the programs Financial Assistance for Confinement of Inmates in Local and Regional Facilities, and Financial Assistance for Sheriffs' Offices and Regional Jails.</p>				
<p>J.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Sheriffs' Career Development Program.</p>				
<p>2. Following receipt of a sheriff's certification that the minimum requirements of the Sheriffs' Career Development Program have been met, and provided that such certification is submitted by sheriffs as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board shall increase the annual salary shown in paragraph A of this Item by the percentage shown herein for a twelve-month period effective the following July 1.</p>				
<p>a. 9.3 percent increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program where such criteria includes that a sheriff has achieved certification in a program agreed upon by the Compensation Board and the Virginia Sheriffs' Institute by Virginia Commonwealth University , or, where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1, and have achieved accreditation by March 1 from the Virginia Law Enforcement Professional Standards Commission, or the Commission on Accreditation of Law Enforcement agencies, or the American Correctional Association.</p>				
<p>3. Other constitutional officers' associations may request the General Assembly to include certification in a program agreed upon by the Compensation Board and the officers' associations by the Weldon Cooper Center for Public Service to the requirements for participation in their respective career development programs.</p>				
<p>K. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$8,000,000 the first year and \$8,000,000 the second year from the Wireless E-911 Fund is included in this appropriation for local law enforcement dispatchers to offset dispatch center operations and related costs.</p>				
<p>L. Notwithstanding the provisions of §§ 53.1-131 through 53.1 -131.3, Code of Virginia, local and regional jails may charge inmates participating in inmate work programs a reasonable daily amount, not to exceed the actual daily cost, to operate the program.</p>				
<p>M.1. Included in this appropriation is \$ 1,856,649 the first year and \$1,856,649 the second year from the general fund for the Compensation Board to contract for services to be provided by the Virginia Center for Policing Innovation to implement and maintain the interface between all local and regional jails in the Commonwealth and the Statewide Automated Victim Information and Notification (SAVIN) system, to provide for SAVIN program coordination, and to maintain the interface between SAVIN and the Virginia Sex Offender Registry and provide for automated protective order notifications. All law enforcement agencies receiving general funds pursuant to this item shall provide the data requirements necessary to participate in the SAVIN system.</p>				
<p>2. The data collected for purposes of the Statewide Automated Victim Information and Notification (SAVIN) system may be used to support additional public safety systems authorized by statute or the Appropriation Act. In support of these systems, the data may be used to determine or supplement risk factors, provide notifications, or data-driven information. The Commonwealth of Virginia's Chief Data Officer and the Compensation Board shall be permitted access to, and extraction of, such raw state data provided for these purposes, under terms agreed to by both the vendor collecting data under contract with the Virginia Center for Policing Innovation and the Commonwealth of Virginia's Chief Data Officer. No raw data shall be transferred beyond the SAVIN system except that which is shared with the Commonwealth of Virginia's Chief Data Officer in such mutually agreed upon manner.</p>				
<p>N. Included in this appropriation is \$2,478,556 the first year and \$2,478,556 the second year from the general fund to support staffing costs associated with the expansion project at Prince William/Manassas Regional Jail.</p>				
<p>O. Included in this appropriation is \$2,194,589 the first year and \$2,194,589 the second year</p>				

ITEM 72.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

from the general fund to support staffing costs associated with the Henry County jail replacement project.

P. Out of the amounts appropriated in this item, \$7,332,246 the first year and \$9,835,820 the second year from the general fund is provided for additional behavioral health case managers and medical treatment positions in local and regional jails. The Compensation Board shall provide a progress report on the implementation of these positions, including but not limited to the amount of funding allocated to each jail and how the jail utilized the funding, behavioral health screening and assessment of individuals committed to local correctional facilities, the type of mental health services provided, the number of individuals with serious mental illness assessed as requiring behavioral health services who (i) needed and (ii) received discharge planning upon release from the local correctional facility, and barriers to implementing the initiative. A progress report shall be submitted to the Governor, the Secretary of Administration, the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, and the Director, Department of Planning and Budget, on or before November 1, 2022 and November 1, 2023.

Q. Out of the amounts appropriated in this item, \$32,154,902 the first year and \$38,585,989 the second year from the general fund is provided to raise the entry level annual salary of sworn sheriff deputies and regional jail officers personnel to \$42,000, effective August 1, 2022. The Compensation Board shall report on the allocation of these funds and the specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of departures and vacancies. A report is due to the Governor, the Chairs of the House Appropriation and Senate Finance and Appropriation Committees, and the Director, Department of Planning and Budget no later than October 15, 2023.

R. Included in this item, \$6,777,219 the first year and \$8,132,664 the second year from the general fund to provide a base salary increase of \$100 for each full year of service for sworn personnel who have three or more years of continuous state service up to thirty years, effective August 1, 2022.

73.	Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600).....			\$50,841,403	\$53,637,055
	Financial Assistance for Local Jail Per Diem (35601).....	\$21,544,188	\$22,661,474		
	Financial Assistance for Regional Jail Per Diem (35604).....	\$29,297,215	\$30,975,581		
	Fund Sources: General.....	\$50,841,403	\$53,637,055		

Authority: §§ 53.1-83.1, 53.1-84 and 53.1-85, Code of Virginia.

A. In the event the appropriation in this Item proves to be insufficient to fund all of its provisions, any amount remaining as of June 1, 2023, and June 1, 2024, may be reallocated among localities on a pro rata basis according to such deficiency.

B. For the purposes of this Item, the following definitions shall be applicable:

1. Effective sentence--a convicted offender's sentence as rendered by the court less any portion of the sentence suspended by the court.
2. Local responsible inmate--(a) any person arrested on a state warrant and incarcerated in a local correctional facility, as defined by § 53.1-1, Code of Virginia, prior to trial; (b) any person convicted of a misdemeanor offense and sentenced to a term in a local correctional facility; or (c) any person convicted of a felony offense and given an effective sentence of (i) twelve months or less or (ii) less than one year.
3. State responsible inmate--any person convicted of one or more felony offenses and (a) the sum of consecutive effective sentences for felonies, committed on or after January 1, 1995, is (i) more than 12 months or (ii) one year or more, or (b) the sum of consecutive effective sentences for felonies, committed before January 1, 1995, is more than two years.

ITEM 73.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
C.	The individual or entity responsible for operating any facility which receives funds from this Item may, if requested by the Department of Corrections, enter into an agreement with the department to accept the transfer of convicted felons, from other local facilities or from facilities operated by the Department of Corrections. In entering into any such agreements, or in effecting the transfer of offenders, the Department of Corrections shall consider the security requirements of transferred offenders and the capability of the local facility to maintain such offenders. For purposes of calculating the amount due each locality, all funds earned by the locality as a result of an agreement with the Department of Corrections shall be included as receipts from these appropriations.			
D.	Out of this appropriation, an amount not to exceed \$377,010 the first year and \$377,010 the second year from the general fund, is designated to be held in reserve for unbudgeted medical expenses incurred by local correctional facilities in the care of state responsible felons.			
E.	The following amounts shall be paid out of this appropriation to compensate localities for the cost of maintaining prisoners in local correctional facilities, as defined by § 53.1-1, Code of Virginia, or if the prisoner is not housed in a local correctional facility, in an alternative to incarceration program operated by, or under the authority of, the sheriff or jail board:			
	1. For local responsible inmates--\$4 per inmate day, or, if the inmate is housed and maintained in a jail farm not under the control of the sheriff, the rate shall be \$18 per inmate day.			
	2. For state responsible inmates--\$12 per inmate day through June 30, 2022, and \$15 per inmate day effective July 1, 2022.			
F.	For the payment specified in paragraph E.1. of this Item for prisoners in alternative punishment or alternative to incarceration programs:			
	1. Such payment is intended to be made for prisoners that would otherwise be housed in a local correctional facility. It is not intended for prisoners that would otherwise be sentenced to community service or placed on probation.			
	2. No such payment shall be made unless the program has been approved by the Department of Corrections or the Department of Criminal Justice Services. Alternative punishment or alternative to incarceration programs, however, may include supervised work experience, treatment, and electronic monitoring programs.			
G.1.	Except as provided for in paragraph G.2., and notwithstanding any other provisions of this Item, the Compensation Board shall provide payment to any locality with an average daily jail population of under ten in FY 1995 an inmate per diem rate of \$18 per day for local responsible inmates and \$12 per day for state responsible inmates held in these jails in lieu of personal service costs for corrections' officers.			
	2. Any locality covered by the provisions of this paragraph shall be exempt from the provisions thereof provided that the locally elected sheriff, with the assistance of the Compensation Board, enters into good faith negotiations to house his prisoners in an existing local or regional jail. In establishing the per diem rate and capital contribution, if any, to be charged to such locality by a local or regional jail, the Compensation Board and the local sheriff or regional jail authority shall consider the operating support and capital contribution made by the Commonwealth, as required by §§ 15.2-1613, 15.2-1615.1, 53.1-80, and 53.1-81, Code of Virginia. The Compensation Board shall report periodically to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the progress of these negotiations and may withhold the exemption granted by this paragraph if, in the board's opinion, the local sheriff fails to negotiate in good faith.			
H.1.	The Compensation Board shall recover the state-funded costs associated with housing federal inmates, District of Columbia inmates or contract inmates from other states. The Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day salary funds provided by the Commonwealth, as identified in the most recent Jail Cost Report prepared by the Compensation Board. Beginning July 1, 2009, the Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this			



ITEM 73.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>population by the proportion of the jail's per inmate day operating costs provided by the Commonwealth, excluding payments otherwise provided for in this Item, as identified in the most recent Jail Cost Report prepared by the Compensation Board. If a jail is not included in the most recent Jail Cost Report, the Compensation Board shall use the statewide average of per inmate day salary funds provided by the Commonwealth.</p>				
<p>2. The Compensation Board shall deduct the amount to be recovered by the Commonwealth from the facility's next quarterly per diem payment for state-responsible and local-responsible inmates. Should the next quarterly per diem payment owed the locality not be sufficient against which to net the total quarterly recovery amount, the locality shall remit the remaining amount not recovered to the Compensation Board.</p>				
<p>3. Any local or regional jail which receives funding from the Compensation Board shall give priority to the housing of local-responsible, state-responsible, and state contract inmates, in that order, as provided in paragraph H.1.</p>				
<p>4. The Compensation Board shall not provide any inmate per diem payments to any local or regional jail which holds federal inmates in excess of the number of beds contracted for with the Department of Corrections, unless the Director, Department of Corrections, certifies to the Chairman of the Compensation Board that a) such contract beds are not required; b) the facility has operational capacity built under contract with the federal government; c) the facility has received a grant from the federal government for a portion of the capital costs; or d) the facility has applied to the Department of Corrections for participation in the contract bed program with a sufficient number of beds to meet the Department of Corrections' need or ability to fund contract beds at that facility in any given fiscal year.</p>				
<p>5. The Compensation Board shall apply the cost recovery methodology set out in paragraph H.1. of this Item to any jail which holds inmates from another state on a contractual basis. However, recovery in such circumstances shall not be made for inmates held pending extradition to other states or pending transfer to the Virginia Department of Corrections.</p>				
<p>6. The provisions of this paragraph shall not apply to any local or regional jail where the cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital contribution.</p>				
<p>7. For a local or regional jail which operates bed space specifically built utilizing federal capital or grant funds for the housing of federal inmates and for which Compensation Board funding has never been authorized for staff for such bed space, the Compensation Board shall allow an exemption from the recovery provided in paragraph H.1. for a defined number of federal prisoners upon certification by the sheriff or superintendent that the federal government has paid for the construction of bed space in the facility or provided a grant for a portion of the capital cost. Such certification shall include specific funding amounts paid by the federal government, localities, and/or regional jail authorities, and the Commonwealth for the construction of bed space specifically built for the housing of federal inmates and for the construction of the jail facility in its entirety. The defined number of federal prisoners to be exempted from the recovery provided in paragraph H.1. shall be based upon the proportion of funding paid by the federal government and localities and/or regional jail authorities for the construction of bed space to house federal prisoners to the total funding paid by all sources, including the Commonwealth, for all construction costs for the jail facility in its entirety. For Western Tidewater Regional Jail, exemption from the recovery provided in paragraph H.1. shall apply to the first 76 federal inmates housed at the jail and for any inmate above 130 housed at the jail at any given time.</p>				
<p>8. Beginning March 1, 2013, federal inmates placed in the custody of a regional jail pursuant to a work release program operated by the federal Bureau of Prisons shall be exempt from the recovery of costs associated with housing federal inmates pursuant to paragraph H.1. of this item if such federal inmates have been assigned by the federal Bureau of Prisons to a home electronic monitoring program in place for such inmates by agreement with the jail on or before January 1, 2012 and are not housed in the jail facility. However, no such exemption shall apply to any federal inmate while they are housed in the regional jail facility.</p>				

<b>ITEM 73.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2023</b>	<b>Second Year FY2024</b>	<b>First Year FY2023</b>	<b>Second Year FY2024</b>

I. Any amounts in the program Financial Assistance for Confinement of Inmates in Local and Regional Facilities, may be transferred between Items 72 and 73, as needed, to cover any deficits incurred in the programs Financial Assistance for Sheriffs' Offices and Regional Jails and Financial Assistance for Confinement of Inmates in Local and Regional Facilities.

J.1. The Compensation Board shall provide an annual report on the number and diagnoses of inmates with mental illnesses in local and regional jails, the treatment services provided, and expenditures on jail mental health programs. The report shall be prepared in cooperation with the Virginia Sheriffs Association, the Virginia Association of Regional Jails, the Virginia Association of Community Services Boards, and the Department of Behavioral Health and Developmental Services, and shall be coordinated with the data submissions required for the annual jail cost report. Copies of this report shall be provided by November 1 of each year to the Governor, Director, Department of Planning and Budget, and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees.

2. Whenever a person is admitted to a local or regional correctional facility, the staff of the facility shall screen such person for mental illness using a scientifically validated instrument. The Commissioner of Behavioral Health and Developmental Services shall designate the instrument to be used for the screenings and such instrument shall be capable of being administered by an employee of the local or regional correctional facility, other than a health care provider, provided that such employee is trained in the administration of such instrument.

K. Out of the amounts appropriated in this item, \$215,939 the first year and \$215,939 the second year from the general fund is provided for the purpose of reimbursing the County of Nottoway for the expense of confining residents of the Virginia Center for Behavioral Rehabilitation arrested for new offenses and held in Piedmont Regional Jail at the expense of the County. Reimbursements by the Board are to be made quarterly, and shall be equal to demonstrated costs incurred by the County of Nottoway for confinement of these individuals, and shall not exceed the amounts provided in this paragraph for each fiscal year. Demonstrated costs may include expenses incurred in the last month of the prior fiscal year if not previously reimbursed. The County of Nottoway, the Virginia Center for Behavioral Rehabilitation, and Piedmont Regional Jail shall upon request provide the Compensation Board any information and assistance it determines is necessary to calculate amounts to be reimbursed to the County of Nottoway.

74.	Financial Assistance for Local Finance Directors (71700).....			\$6,112,122	\$6,130,988
	Financial Assistance to Local Finance Directors (71701).....	\$743,520	\$743,520		
	Financial Assistance for Operations of Local Finance Directors (71702).....	\$5,368,602	\$5,387,468		
	Fund Sources: General.....	\$6,112,122	\$6,130,988		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	<b>August 1, 2022 to June 30, 2023</b>	<b>July 1, 2023 to November 30, 2023</b>	<b>December 1, 2023 to June 30, 2024</b>
Less than 10,000	\$71,000	\$74,550	\$74,550
10,000-19,999	\$78,892	\$82,837	\$82,837
20,000-39,999	\$87,658	\$92,041	\$92,041
40,000-69,999	\$97,395	\$102,265	\$102,265
70,000-99,999	\$108,218	\$113,629	\$113,629
100,000-174,999	\$120,238	\$126,250	\$126,250

ITEM 74.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
175,000 to 249,999	\$126,570	\$132,899		\$132,899
250,000 and above	\$143,831	\$151,023		\$151,023

2. Whenever any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such officer under the provisions of this Item.

B.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item following receipt of the appointed officer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by appointed officers as part of their annual budget request to the Compensation Board on February 1 of each year.

75.	Financial Assistance for Local Commissioners of the Revenue (77100).....			\$22,260,302	\$22,398,446
	Financial Assistance to Local Commissioners of the Revenue for Tax Value Certification (77101).....	\$11,425,751	\$11,427,681		
	Financial Assistance for Operations of Local Commissioners of the Revenue (77102).....	\$10,355,039	\$10,487,504		
	Financial Assistance for State Tax Services by Commissioners of the Revenue (77103).....	\$479,512	\$483,261		
	Fund Sources: General.....	\$22,260,302	\$22,398,446		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A. The annual salaries of county or city commissioners of the revenue shall be as hereinafter prescribed, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	August 1, 2022 to June 30, 2023	July 1, 2023 to November 30, 2023	December 1, 2023 to June 30, 2024
Less than 10,000	\$71,000	\$74,550	\$74,550
10,000-19,999	\$78,892	\$82,837	\$82,837
20,000-39,999	\$87,658	\$92,041	\$92,041
40,000-69,999	\$97,395	\$102,265	\$102,265
70,000-99,999	\$108,218	\$113,629	\$113,629
100,000-174,999	\$120,238	\$126,250	\$126,250
175,000 to 249,999	\$126,570	\$132,899	\$132,899
250,000 and above	\$143,831	\$151,023	\$151,023

B. 1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Commissioners of the Revenue Career Development Program.

2. Following receipt of the commissioner's certification that the minimum requirements of the Commissioners of the Revenue Career Development Program have been met, and provided that such certification is submitted by commissioners of the revenue as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board may increase the annual salary in paragraph A of this item by 9.3 percent following receipt of the commissioner's certification that the minimum requirements of the Commissioners' Career Development Program have been met, provided that such certifications are submitted by commissioners as part of their annual

<b>ITEM 75.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2023</b>	<b>Second Year FY2024</b>	<b>First Year FY2023</b>	<b>Second Year FY2024</b>

budget request to the Compensation Board on February 1 of each year.

C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Commissioners Career Development Program.

2. For each deputy commissioner selected by the commissioner of the revenue for participation in the Deputy Commissioners Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent, following receipt of the commissioner of the revenue's certification that the minimum requirements of the Deputy Commissioners Career Development Program have been met, and provided that such certification is submitted by the commissioner of the revenue as part of the annual budget request to the Compensation Board on or before February 1st of each year for an effective date of salary increase of the following July 1.

76.	Financial Assistance for Attorneys for the Commonwealth (77200).....			\$83,673,178	\$83,702,641
	Financial Assistance to Attorneys for the Commonwealth (77201).....	\$18,023,987	\$18,023,987		
	Financial Assistance for Operations of Local Attorneys for the Commonwealth (77202).....	\$65,649,191	\$65,678,654		
	Fund Sources: General.....	\$83,083,328	\$83,112,791		
	Dedicated Special Revenue.....	\$589,850	\$589,850		

Authority: Title 15.2, Chapter 16, Articles 4 and 6.1, Code of Virginia.

A.1. The annual salaries of attorneys for the Commonwealth shall be as hereinafter prescribed according to the population of the city or county served except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	<b>August 1, 2022 to June 30, 2023</b>	<b>July 1, 2023 to November 30, 2023</b>	<b>December 1, 2023 to June 30, 2024</b>
Less than 10,000	\$62,920	\$66,066	\$66,066
10,000-19,999	\$69,921	\$73,417	\$73,417
20,000-34,999	\$76,910	\$80,756	\$80,756
35,000-44,999	\$138,433	\$145,355	\$145,355
45,000-99,999	\$153,812	\$161,503	\$161,503
100,000-249,999	\$159,581	\$167,560	\$167,560
250,000 and above	\$165,353	\$173,621	\$173,621

2. The attorneys for the Commonwealth and their successors who serve on a full-time basis pursuant to §§ 15.2-1627.1, 15.2-1628, 15.2-1629, 15.2-1630 or § 15.2-1631, Code of Virginia, shall receive salaries as if they served localities with populations between 35,000 and 44,999.

3. Whenever an attorney for the Commonwealth is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such attorney for the Commonwealth under the provisions of this paragraph and such attorney for the Commonwealth shall receive as additional compensation the sum of one thousand dollars.

B. No expenditure shall be made out of this Item for the employment of investigators, clerk-investigators or other investigative personnel in the office of an attorney for the Commonwealth.

C. Consistent with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may, in addition to the options otherwise provided by law, employ individuals to assist in collection of outstanding fines, costs, forfeitures, penalties, and restitution. Notwithstanding any other provision of law, beginning on the date upon which the order or judgment is entered, the costs associated with employing such individuals may be paid from the proceeds of the amounts collected provided that the cost is apportioned on a pro

ITEM 76.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

rata basis according to the amount collected which is due the state and that which is due the locality. The attorneys for the Commonwealth shall account for the amounts collected and apportion costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.

D. The provisions of this act notwithstanding, no Commonwealth's attorney, public defender or employee of a public defender, shall be paid or receive reimbursement for the state portion of a salary in excess of the salary paid to judges of the circuit court. Nothing in this paragraph shall be construed to limit the ability of localities to supplement the salaries of locally elected constitutional officers or their employees.

E. The Statewide Juvenile Justice project positions, as established under the provisions of Item 74 E, of Chapter 912, 1996 Acts of Assembly, and Chapter 924, 1997 Acts of Assembly, are continued under the provisions of this act. The Commonwealth's attorneys receiving such positions shall annually certify to the Compensation Board that the positions are used primarily, if not exclusively, for the prosecution of delinquency and domestic relations felony cases, as defined by Chapters 912 and 924. In the event the positions are not primarily or exclusively used for the prosecution of delinquency and domestic relations felony cases, the Compensation Board shall reallocate such positions by using the allocation provisions as provided for the board in Item 74 E of Chapters 912 and 924.

F. The Compensation Board shall monitor the Department of Taxation program regarding the collection of unpaid fines and court costs by private debt collection firms contracted by Commonwealth's attorneys and shall include, in its annual report to the General Assembly on the collection of court-ordered fines and fees for clerks of the courts and Commonwealth's attorneys, the amount of unpaid fines and costs collected by this program.

G. Out of this appropriation, \$389,165 the first year and \$389,165 the second year from the general fund is designated for the Compensation Board to fund five additional positions in Commonwealth's attorney's offices that shall be dedicated to prosecuting gang-related criminal activities. The board shall ensure that these positions work across jurisdictional lines, serving the Northern Virginia area (counties of Fairfax, Loudoun, Prince William, and Arlington and the cities of Falls Church, Alexandria, Manassas, Manassas Park and Fairfax).

H. In accordance with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may employ individuals, or contract with private attorneys, private collection agencies, or other state or local agencies, to assist in collection of delinquent fines, costs, forfeitures, penalties, and restitution. If the attorney for the Commonwealth employs individuals, the costs associated with employing such individuals may be paid from the proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis according to the amount collected which is due the state and that which is due the locality. If the attorney for the Commonwealth does not undertake collection, the attorney for the Commonwealth shall, as soon as practicable, take steps to ensure that any agreement or contract with an individual, attorney or agency complies with the terms of the current Master Guidelines Governing Collection of Unpaid Delinquent Court-Ordered Fines and Costs Pursuant to Virginia Code § 19.2-349 promulgated by the Office of the Attorney General, the Executive Secretary of the Supreme Court, the Department of Taxation, and the Compensation Board ("the Master Guidelines"). Notwithstanding any other provision of law, the delinquent amounts owed shall be increased by seventeen (17) percent to help offset the costs associated with employing such individuals or contracting with such agencies or individuals. If such increase would exceed the contracted collection agent's fee, then the delinquent amount owed shall be increased by the percentage or amount of the collection agent's fee. Effective July 1, 2015, as provided in § 19.2-349, Code of Virginia, treasurers not being compensated on a contingency basis as of January 1, 2015 shall be prohibited from being compensated on a contingency basis but shall instead be compensated for administrative costs pursuant to § 58.1-3958, Code of Virginia. Treasurers currently collecting a contingency fee shall be eligible to contract on a contingency fee basis. Effective July 1, 2015, any treasurer collecting a contingency fee shall retain only the expenses of collection, and the excess collection shall be divided between the state and the locality in the same manner as if the collection had been done by

ITEM 76.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>the attorney for the Commonwealth. The attorneys for the Commonwealth shall account for the amounts collected and the fees and costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.</p> <p>I. Notwithstanding the provisions of Article 7, Chapter 4, Title 38, Code of Virginia, beginning July 1, 2018, \$600,000 each year from the Insurance Fraud Fund is included in this appropriation to fund multi-jurisdictional Assistant Commonwealth's Attorney positions that shall be dedicated to prosecuting insurance fraud and related criminal activities. The Department of State Police shall identify those jurisdictions most affected by insurance fraud based upon data provided by the Virginia State Police Insurance Fraud Program. The Virginia State Police Insurance Fraud Program shall ensure that these positions work across jurisdictional lines, serving jurisdictions identified as most in need of these resources as supported by data. These funds shall remain unallocated until the Compensation Board and Virginia State Police notify the Director of the Department of Planning and Budget of the joint agreements reached with the Commonwealth's Attorneys of the jurisdictions receiving the additional Assistant Commonwealth's Attorney positions and the jurisdictions to be served by these positions. The Commonwealth's Attorneys receiving such positions shall annually certify to the Compensation Board that these positions are used primarily, if not exclusively, for the prosecution of insurance fraud and related criminal activities.</p> <p>J. The appropriations in this item includes \$1,433,928 the first year and \$1,433,928 the second year from the general fund to fund approximately twenty-five percent of the unfunded positions needed based on the fiscal year 2020 staffing standards calculation.</p> <p>K. Any locality in the Commonwealth that employs the use of body worn cameras for its law enforcement officers shall be required to establish and fund one full-time equivalent entry-level Assistant Commonwealth's Attorney, at a salary no less than that established by the Compensation Board for an entry-level Commonwealth's Attorney, at a rate of one Assistant Commonwealth's Attorney for up to 75 body worn cameras employed for use by local law enforcement officers, and one Assistant Commonwealth's Attorney for every 75 body worn cameras employed for use by local law enforcement officers, thereafter. However, with the consent of the Commonwealth's Attorney, a locality may provide their Commonwealth's Attorney's office with additional funding, using a different formula than stated above, as needed to accommodate the additional workload resulting from the requirement to review, redact and present footage from body worn cameras. If, as of July 1, 2019, a locality is providing additional funding to the Commonwealth's Attorney's office specifically to address the staffing and workload impact of the implementation of body worn cameras on that office, that additional funding shall be credited to the formula used in that locality. Any agreed upon funding formula between the impacted Commonwealth's Attorney and the locality employing body worn cameras shall be filed with the Compensation Board by July 1 of each year and shall remain in effect unless modified by the agreement of both parties until June 30th of the following year. The term "locality" means every county or independent city with an Attorney for the Commonwealth. The term "employed for use" includes all body worn cameras maintained by the law enforcement agency or agencies of that locality, regardless of any temporary inoperability.</p> <p>L. Included in this appropriation is \$93,200 the first year and \$93,200 the second year from the general fund to support the costs of converting the Commonwealth's Attorney's office in Craig County from part-time to full-time status effective July 1, 2021, in accordance with the election of the officer pursuant to § 15.2-1629, Code of Virginia.</p>				
77.	Financial Assistance for Circuit Court Clerks (77300).....		\$64,549,772	\$64,837,950
	Financial Assistance to Circuit Court Clerks (77301).....	\$15,523,915		\$15,552,146
	Financial Assistance for Operations for Circuit Court Clerks (77302).....	\$30,231,905		\$30,484,722
	Financial Assistance for Circuit Court Clerks' Land Records (77303).....	\$18,793,952		\$18,801,082
	Fund Sources: General.....	\$56,546,402		\$56,834,580
	Trust and Agency.....	\$8,003,370		\$8,003,370

Authority: Title 15.2, Chapter 16, Article 6.1; §§ 51.1-706 and 51.1-137, Title 17.1, Chapter 2, Article 7, Code of Virginia.

<b>ITEM 77.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2023</b>	<b>Second Year FY2024</b>	<b>First Year FY2023</b>	<b>Second Year FY2024</b>

A.1. The annual salaries of clerks of circuit courts shall be as hereinafter prescribed.

	<b>August 1, 2022 to June 30, 2023</b>	<b>July 1, 2023 to November 30, 2023</b>	<b>December 1, 2023 to June 30, 2024</b>
Less than 10,000	\$89,204	\$93,664	\$93,664
10,000 to 19,999	\$109,918	\$115,414	\$115,414
20,000-39,999	\$125,851	\$132,144	\$132,144
40,000-69,999	\$132,220	\$138,831	\$138,831
70,000-99,999	\$143,368	\$150,536	\$150,536
100,000-174,999	\$156,114	\$163,920	\$163,920
175,000-249,999	\$160,959	\$169,007	\$169,007
250,000 and above	\$165,676	\$173,960	\$173,960

2. Whenever a clerk of a circuit court is such for a county and a city, for two or more counties, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of the circuit court clerk under the provisions of this Item.

3. Except as provided in Item 79 A 2, the annual salary herein prescribed shall be full compensation for services performed by the office of the circuit court clerk as prescribed by general law, and for the additional services of acting as general receiver of the court pursuant to § 8.01-582, Code of Virginia, indexing and filing land use application fees pursuant to § 58.1-3234, Code of Virginia, and all other services provided from, or utilizing the facilities of, the office of the circuit court clerk. Pursuant to § 8.01-589, Code of Virginia, the court shall provide reasonable compensation to the office of the clerk of the circuit court for acting as general receiver of the court. Out of the compensation so allowed, the clerk shall pay his bond or bonds. The remainder of the compensation so allowed shall be fee and commission income to the office of the circuit court clerk.

4. In any county or city operating under provisions of law which authorizes the governing body to fix the compensation of the clerk on a salary basis, such clerk shall receive such salary as shall be allowed by the governing body. Such salary shall not be fixed at an amount less than the amount that would be allowed the clerk under paragraphs A 1 through A 3 of this Item.

5. All clerks shall deposit all clerks' fees and state revenue with the State Treasurer in a manner consistent with § 2.2-806, Code of Virginia, unless otherwise provided by the Compensation Board as set forth in § 17.1-284, Code of Virginia or otherwise provided by law.

B. The reports filed by each circuit court clerk pursuant to § 17.1-283, Code of Virginia, for each calendar year shall include all income derived from the performance of any office, function or duty described or authorized by the Code of Virginia whether directly or indirectly related to the office of circuit court clerk, including, by way of description and not limitation, services performed as a commissioner of accounts, receiver, or licensed agent, but excluding private services performed on a personal basis which are completely unrelated to the office. The Compensation Board may suspend the allowance for office expenses for any clerk who fails to file such reports within the time prescribed by law, or when the board determines that such report does not comply with the provisions of this paragraph.

C. Each clerk of the circuit court shall submit to the Compensation Board a copy of the report required pursuant to § 19.2-349, Code of Virginia, at the same time that it is submitted to the Commonwealth's attorney.

D. Included within this appropriation are Trust and Agency funds necessary to support one position to assist circuit court clerks in implementing the recommendations of the Land Records Management Task Force Report dated January 1, 1998.

E. Notwithstanding the provisions of § 17.1-279 E, Code of Virginia, the Compensation

ITEM 77.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Board may allocate to the clerk of any circuit court funds for the acquisition of equipment and software for a pilot project for the automated application for, and issuance of, marriage licenses by such court. Any such funds allocated shall be deemed to have been expended pursuant to clause (iii) of § 17.1-279 E for the purposes of the limitation on allocations set forth in that subsection.				
F. Notwithstanding the provisions of § 17.1-279, Code of Virginia, the Compensation Board when distributing funds to the Circuit Court Clerk's Offices from the Technology Trust Fund shall ensure that each office has at least \$1,000 per year for technology related expenditures.				
G. Notwithstanding § 17.1-287, Code of Virginia, any elected official funded through this Item may elect to relinquish any portion of his state funded salary established in paragraph A 1 of this Item. In any office where the official elects this option, the Compensation Board shall ensure the amount relinquished is used to fund salaries of other office staff.				
H.1. For audits of clerks of the circuit court completed after July 1, 2004, the Auditor of Public Accounts shall report any internal control matter that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability. The Auditor of Public Accounts will also report on compliance with appropriate law and other financial matters of the clerks' office.				
2. For internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability, the clerk shall provide the Auditor of Public Accounts a written corrective action plan to any such audit findings within 10 business days of the audit exit conference, which will state what actions the clerk will take to remediate the finding. The clerk's response may also address the other matters in the report. During the next audit, the Auditor of Public Accounts shall determine and report if the clerk has corrected the finding related to internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability.				
3. Notwithstanding the provisions of Item 483, the Compensation Board shall not provide any salary increase to any circuit court clerk identified by the Auditor of Public Accounts who has not taken corrective action for the matters reported above.				
I.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Circuit Court Clerks' Career Development Program.				
2. Following receipt of a clerk's certification that the minimum requirements of the Clerks' Career Development Program have been met, and provided that such certification is submitted by Clerks as part of their annual budget request to the Compensation Board by February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A.1. of this item by 9.3 percent with the salary increase becoming effective on the following July 1 for a 12-month period.				
J.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Deputy Clerks of Circuit Courts' Career Development Program.				
2. For each deputy clerk selected by the clerk for participation in the Deputy Clerks' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the clerk's certification that the minimum requirements of the Deputy Clerks' Career Development Program have been met and provided that such certification is submitted by clerks as part of their annual budget request to the Compensation Board by February 1 of each year.				
K. Upon request of the attorney for the Commonwealth, the clerk of the circuit court shall contemporaneously provide the attorney for the Commonwealth copies of all documents provided to the Virginia Criminal Sentencing Commission pursuant to § 19.2-298.01 E, Code of Virginia.				
L. The Compensation Board may obligate Trust and Agency funds in excess of the current biennium appropriation for the automation efforts of the clerks' offices from the Technology Trust Fund provided that sufficient cash is available to cover projected costs in each year and that sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.				



ITEM 77.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

M. Offices of the Clerks of the Circuit Court, jails, adult detention centers, and the Department of Corrections are further authorized to enter into agreements to electronically transmit and process criminal court orders to assure timely and accurate recordation and processing of such records.

N. Included in the appropriation for this item is \$75,000 the first year and \$75,000 the second year from the general fund for the Williamsburg and James City County Circuit Court Clerk's office to conduct a pilot program to provide an online listing of foreclosures; continued courthouse posting of foreclosures; and to provide notice of foreclosures in the local newspaper for a limited period of time.

O. Out of the appropriation for this item is \$1,287,189 the first year and \$1,544,627 the second year from the general fund to provide a \$1,250 increase to the base wage and salaries of all circuit court employees, effective August 1, 2022.

78.	Financial Assistance for Local Treasurers (77400).....			\$20,530,406	\$20,613,699
	Financial Assistance to Local Treasurers (77401)....	\$11,329,148	\$11,334,349		
	Financial Assistance for Operations of Local Treasurers (77402).....	\$8,852,853	\$8,929,054		
	Financial Assistance for State Tax Services by Local Treasurers (77403).....	\$348,405	\$350,296		
	Fund Sources: General.....	\$20,530,406	\$20,613,699		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of treasurers, elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	August 1, 2022 to June 30, 2023	July 1, 2023 to November 30, 2023	December 1, 2023 to June 30, 2024
Less than 10,000	\$71,000	\$74,550	\$74,550
10,000 to 19,999	\$78,892	\$82,837	\$82,837
20,000-39,999	\$87,658	\$92,041	\$92,041
40,000-69,999	\$97,395	\$102,265	\$102,265
70,000-99,999	\$108,218	\$113,629	\$113,629
100,000-174,999	\$120,238	\$126,250	\$126,250
175,000-249,999	\$126,570	\$132,899	\$132,899
250,000 and above	\$143,831	\$151,023	\$151,023

2. Provided, however, that in cities having a treasurer who neither collects nor disburses local taxes or revenue or who distributes local revenues but does not collect the same, such salaries shall be seventy-five percent of the salary prescribed above for the population range in which the city falls except that in no case shall any such treasurer, or any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, receive an increase in salary less than the annual percentage increase provided from state funds to any other treasurer, within the same population range, who was at the maximum prescribed salary in effect for the fiscal year 1980.

3. Whenever a treasurer is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such treasurer under the provisions of this Item.

B.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to

ITEM 78.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.</p> <p>2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item by 9.3 percent following receipt of the treasurer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by treasurers as part of their annual budget request to the Compensation Board on February 1 of each year.</p> <p>C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Treasurers' Career Development Program.</p> <p>2. For each deputy treasurer selected by the treasurer for participation in the Deputy Treasurers' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the treasurer's certification that the minimum requirements of the Deputy Treasurers' Career Development Program have been met, and provided that such certification is submitted by the treasurer as part of the annual budget request to the Compensation Board on or before February 1 of each year for an effective date of salary increase of the following July 1st.</p> <p>D. Notwithstanding the provisions of § 8.01-490, Code of Virginia, a treasurer, sheriff or other officer distraining or levying upon personal property may employ a licensed auctioneer or auction firm, as defined in § 54.1-600, Code of Virginia, to sell such property on behalf of the officer, and may transport such property to the site of an auction for such purpose, regardless of whether the site is within or outside the officer's county or city.</p>				

79.	Administrative and Support Services (79900).....		\$4,918,861	\$4,918,861
	General Management and Direction (79901).....	\$3,630,184		
	Information Technology Services (79902).....	\$1,253,527		
	Training Services (79925).....	\$35,150		
	Fund Sources: General.....	\$4,918,861		

Authority: Title 2.2-1839; Title 15.2, Chapter 16, Articles 2, 3, 4 and 6.1; Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. In determining the salary of any officer specified in Items 72, 74, 75, 76, 77, and 78 of this act, the Compensation Board shall use the greater of the most recent actual United States census count or the most recent provisional population estimate from the United States Bureau of the Census or the Weldon Cooper Center for Public Service of the University of Virginia available when fixing the officer's annual budget and shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent remains in office.

2. In determining the salary of any officer specified in Items 72, 74, 75, 76, 77, and 78 of this act, nothing herein contained shall prevent the governing body of any county or city from supplementing the salary of such officer in such county or city for the provisions of Chapter 822, 2012 Acts of Assembly or for additional services not required by general law; provided, however, that any such supplemental salary shall be paid wholly by such county or city.

3. Any officer whose salary is specified in Items 72, 74, 75, 76, 77, and 78 of this act shall provide reasonable access to his work place, files, records, and computer network as may be requested by his duly elected successor after the successor has been certified.

B.1. Notwithstanding any other provision of law, the Compensation Board shall authorize and fund permanent positions for the locally elected constitutional officers, subject to appropriation by the General Assembly, including the principal officer, at the following levels:

	FY 2023	FY 2024
Sheriffs	11,645	11,740
Partially Funded: Jail Medical, Treatment, and Classification and Records Positions	923	935

ITEM 79.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Commissioners of the Revenue		851		851
Treasurers		861		861
Directors of Finance		383		383
Commonwealth's Attorneys		1,332		1,332
Clerks of the Circuit Court		1,158		1,158
<b>TOTAL</b>		<b>16,806</b>		<b>16,913</b>

2. The Compensation Board is authorized to provide funding for 597 temporary positions the first year and 597 temporary positions the second year.

3. The board is authorized to adjust the expenses and other allowances for such officers to maintain approved permanent and temporary manpower levels.

4. Paragraphs B 1 and B 2 of this Item shall not apply to the clerks of the circuit courts and their employees specified in § 17.1-288, Code of Virginia, or those under contract pursuant to § 17.1-290, Code of Virginia.

C.1. Reimbursement by the Compensation Board for the use of vehicles purchased or leased with public funds used in the discharge of official duties shall be at a rate equal to that approved by the Joint Legislative Audit and Review Commission for Central Garage Car Pool services. No vehicle purchased or leased with public funds on or after July 1, 2002, shall display lettering on the exterior of the vehicle that includes the name of the incumbent sheriff.

2. Reimbursement by the Compensation Board for the use of personal vehicles in the discharge of official duties shall be at a rate equal to that established in § 4-5.04 e 2. of this act. All such requests for reimbursement shall be accompanied by a certification that a publicly owned or leased vehicle was unavailable for use.

D. The Compensation Board is directed to examine the current level of crowding of inmates in local jails among the several localities and to reallocate or reduce temporary positions among local jails as may be required, consistent with the provisions of this act.

E. Any new positions established in Item 79 of this act shall be allocated by the Compensation Board upon request of the constitutional officers in accordance with staffing standards and ranking methodologies approved by the Compensation Board to fulfill the requirements of any court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance with the provisions of Item 72 of this act.

F. Any funds appropriated in this act for performance pay increases for designated deputies or employees of constitutional officers shall be allocated by the Compensation Board upon certification of the constitutional officer that the performance pay plan for that office meets the minimum standards for such plans as set by the Compensation Board. Nothing herein, and nothing in any performance pay plan set by the Compensation Board or adopted by a constitutional officer, shall change the status of employees or deputies of constitutional officers from employees at will or create a property or contractual right to employment. Such deputies and employees shall continue to be employees at will who serve at the pleasure of the constitutional officers.

G. The Compensation Board shall apply the current fiscal stress factor, as determined by the Commission on Local Government, to any general fund amounts approved by the board for the purchase, lease or lease purchase of equipment for constitutional officers. In the case of equipment requests from regional jail superintendents and regional special prosecutors, the highest stress factor of a member jurisdiction will be used.

H. The Compensation Board shall not approve or commit additional funds for the operational cost, including salaries, for any local or regional jail construction, renovation, or expansion project which was not approved for reimbursement by the State Board of Corrections prior to January 1, 1996, unless: (1) the Secretary of Public Safety and Homeland Security certifies that such additional funding results in an actual cost savings to the Commonwealth or (2) an exception has been granted as provided for in Item 400 of this act.

I. Subject to appropriations by the General Assembly for this purpose, the Compensation

ITEM 79.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	Board may provide funding for executive management, lawful employment practices, and jail management training for constitutional officers, their employees, and regional jail superintendents.			
	J. Any local or regional jail that receives funding from the Compensation Board shall report inmate populations to the Compensation Board, through the local inmate data system, no less frequently than weekly. Each local or regional jail that receives funding from the Compensation Board shall use the Virginia Crime Codes (VCC) in identifying and describing offenses for persons arrested and/or detained in local and regional jails in Virginia.			
	K.1. The Compensation Board shall provide the Chairmen of the Senate Finance and House Appropriations Committees and the Secretaries of Finance and Administration with an annual report, on December 1 of each year, of jail revenues and expenditures for all local and regional jails and jail farms which receive funds from the Compensation Board. Information provided to the Compensation Board is to include an audited statement of revenues and expenses for inmate canteen accounts, telephone commission funds, inmate medical co-payment funds, any other fees collected from inmates and investment/interest monies for inclusion in the report.			
	2. Local and regional jails and jail farms and local governments receiving funds from the Compensation Board shall, as a condition of receiving such funds, provide such information as may be required by the Compensation Board, necessary to prepare the annual jail cost report.			
	3. If any sheriff, superintendent, county administrator, or city manager fails to send such information within five working days after the information should be forwarded, the Chairman of the Compensation Board shall notify the sheriff, superintendent, county administrator or city manager of such failure. If the information is not provided within ten working days from that date, then the chairman shall cause the information to be prepared from the books of the city, county, or regional jail and shall certify the cost thereof to the State Comptroller. The State Comptroller shall issue his warrant on the state treasury for that amount, deducting the same from any funds that may be due the sheriff or regional jail from the Commonwealth.			
	L. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 (§ 15.2-3500 et seq.) of Title 15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide funding from Items 72, 75, 76, 77, and 78 of this act, consistent with the requirements of § 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph E of this Item, any positions in the constitutional offices of the former city or former county which are available for reallocation as a result of the transition or consolidation shall be first reallocated in accordance with Compensation Board staffing standards to the constitutional officers in the county in which the town is situated or to the consolidated city, without regard to the Compensation Board's priority of need ranking for reallocated positions. The salary and fringe benefit costs for these positions shall be deducted from any amounts due the county or to the consolidated city, as provided in § 15.2-1302, Code of Virginia.			
	M. Notwithstanding any other provisions of § 15.2-1605, Code of Virginia, the Compensation Board shall provide no reimbursement for accumulated vacation time for employees of Constitutional Officers.			
	N. The Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 72, 74, 75, 76, 77, and 78 of this act, an amount equal to 100 percent of each locality's share of the insurance premium paid by the Compensation Board on behalf of the constitutional officers, directors of finance, and regional jails. From sheriffs and regional jails, the Compensation Board shall deduct an additional \$80,000 each year for the costs of conducting training on managing risk in the operation of local and regional jails.			
	O. Effective July 1, 2007, the Compensation Board is authorized to withhold reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing,			

ITEM 79.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

incomplete or incorrect. Upon subsequent notification by the Superintendent that the data is accurate, the Compensation Board shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.

P. Notwithstanding the provisions of § 51.1-1403 A, Code of Virginia, the Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 72, 74, 75, 76, 77, and 78 of this act, an amount equal to each locality's retiree health premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.

Q.1. Compensation Board payments of, or reimbursements for, the employer paid contribution to the Virginia Retirement System, or any system offering like benefits, shall not exceed the Commonwealth's proportionate share of the following, whichever is less: (a) the actual retirement rate for the local constitutional officer's office or regional correctional facility as set by the Board of the Virginia Retirement System or (b) the employer rate established for the general classified workforce of the Commonwealth covered under and payable to the Virginia Retirement System.

2. The rate specified in paragraph Q.1. shall exclude the cost of any early retirement program implemented by the Commonwealth.

3. Any employer paid contribution costs for rates exceeding those specified in paragraph Q.1. shall be borne by the employer.

4. The benefits rate reimbursed by the Compensation Board to localities and regional jails shall not exceed the rate identified for fiscal year 2011 in Chapter 890, Item 469, paragraph I.1.

R. Localities shall not utilize Compensation Board funding to supplant local funds provided for the salaries of constitutional officers and their employees under the provisions of Chapter 822, 2012 Acts of Assembly, who were affected members in service on June 30, 2012.

S. Effective July 1, 2016, the Compensation Board is authorized to withhold reimbursements due to the locality for sheriff's law enforcement expenses if the sheriff fails to certify to the Board that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia. Upon subsequent certification by the sheriff that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia, the Compensation Board shall make reimbursement of withheld funding due to the locality when such subsequent certification is made within the same fiscal year that funds have been withheld.

T.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Executive Secretary of the State Compensation Board shall implement the recommendations relating to the State Compensation Board 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.

U.1. The Compensation Board shall work with the Virginia Association of Commonwealth's Attorneys to examine the staffing standards used to determine and distribute funding and positions allocated to Commonwealth's Attorney's offices, including the use of diversion programs, specialty dockets, and other programs that incentivize best practices and improved outcomes as part of overall criminal justice reform efforts, rather than the current practice which relies solely on metrics related to felony charges and convictions. The examination shall identify funding needs to support staffing for statutorily prescribed duties while also identifying funding needs for participation in special programs, discretionary duties, and current local supplemental funds allocated. To assist in this goal, the Compensation Board shall contract with the National Center for State Courts to perform a time study as to the comprehensive duties and responsibilities of Commonwealth's Attorneys' offices including, but not limited to, "in-court" obligations, the use of diversion programs and specialty dockets, expungement/rights restoration volume as well as other obligations reflected in the Code of Virginia (e.g. duties prescribed under §15.2-1627, et seq). The Compensation Board shall develop a revised

ITEM 79.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
staffing standard for Commonwealth's Attorney's offices based on the results of the study that expands the current model focused on felony charges and convictions and accounts for the use of diversion programs, specialty dockets, and other programs. All Commonwealth's Attorneys shall participate in the study as needed and identified by the Compensation Board and the National Center for State Courts.				
2. The Compensation Board shall deliver a report containing the results of the study, anticipated costs, and staffing standards methodology revisions under review or approved by the Board to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022.				
V. For July 1, 2022 through July 31, 2022, the annual salaries provided to officers specified in Items 72, 74, 75, 76, 77, and 78 of this act shall be set in accordance with the provisions of paragraph A.1. of this Item, according to the salary tables in effect as of June 30, 2022.				
Total for Compensation Board.....			\$826,608,111	\$840,435,768
General Fund Positions.....			21.00	21.00
Nongeneral Fund Positions.....			1.00	1.00
Position Level.....			22.00	22.00
Fund Sources: General.....			\$810,012,233	\$823,839,890
Trust and Agency.....			\$8,003,370	\$8,003,370
Dedicated Special Revenue.....			\$8,592,508	\$8,592,508

**§ 1-29. DEPARTMENT OF GENERAL SERVICES (194)**

80.	Laboratory Services (72600).....		\$48,546,873	\$48,863,885
	Statewide Laboratory Services (72604).....	\$31,679,894	\$31,996,906	
	Newborn Screening Laboratory Services (72607).....	\$14,089,676	\$14,089,676	
	Laboratory Accreditation Services (72608).....	\$559,639	\$559,639	
	Drinking Water Testing Services (72609).....	\$2,217,664	\$2,217,664	
	Fund Sources: General.....	\$19,910,349	\$20,227,361	
	Special.....	\$20,000	\$20,000	
	Enterprise.....	\$16,069,009	\$16,069,009	
	Internal Service.....	\$5,134,355	\$5,134,355	
	Federal Trust.....	\$7,413,160	\$7,413,160	

Authority: Title 2.2, Chapter 11, Article 2, Code of Virginia.

A. The provisions of § 2.2-1104, Code of Virginia, notwithstanding, the Division of Consolidated Laboratory Services shall ensure that no individual is denied the benefits of laboratory tests mandated by the Department of Health for reason of inability to pay for such services.

B. Out of this appropriation, \$5,134,355 the first year and \$5,134,355 the second year for Statewide Laboratory Services is sum sufficient and these amounts are estimates from an internal service fund which shall be paid from revenues derived from charges collected from state agencies and institutions of higher education for laboratory testing services. The internal service fund shall also consist of revenues transferred from the Department of Transportation for motor fuel testing as stated in § 3-1.02 of this act.

C.1. The provisions of § 2.2-1104 B, Code of Virginia, notwithstanding, the Division of Consolidated Laboratory Services may charge a fee for the limited and specific purpose of analyses of water samples where (i) testing is required by Department of Health regulations as mandated by the federal Safe Drinking Water Act, (ii) funding to support such testing is not otherwise provided for in this act, and (iii) fees shall not be increased unless a plan is first approved by the Governor.

2. The Division of Consolidated Laboratory Services may charge a fee to recover its costs to certify laboratories under the requirements of §§ 2.2-1104 A. 4 and 2.2-1105, Code of Virginia, where certification of these laboratories is required by the Department of Health regulations mandated by the federal Safe Drinking Water Act, Chapter 13 (§ 10.1-1300 et

ITEM 80.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	seq.) of Title 10.1, the Virginia Waste Management Act (§ 10.1-1400 et seq.), or the State Water Control Law (§ 62.1-44.2 et seq.), Code of Virginia.			
	3.a. Any regulations or guidelines necessary to implement or change the amount of the fees charged for testing of water samples or certification of laboratories may be adopted without complying with the Administrative Process Act (§2.2-4000 et seq.) provided that input is solicited from the public. Such input requires only that notice and an opportunity to submit written comments be given.			
	b. Notwithstanding any other provision of law, changes to fees charged for testing of water samples or certification of laboratories shall be subject to the provisions of § 4-5.03 of this act, effective July 1, 2016.			
	c. Fees charged for testing of water samples or certification of laboratories shall not exceed the cost of providing such services.			
	D. Out of this appropriation, \$410,861 the first year and \$410,861 the second year from the general fund shall be used for the fifth and sixth year of payments to finance the replacement of instrumentation used for drinking water testing that is at least ten years old utilizing the state's Master Equipment Leasing Program in addition to annual service maintenance agreements for such instrumentation.			
81.	Real Estate Services (72700).....		\$73,608,012	\$73,608,012
	Statewide Leasing and Disposal Services (72705)....	\$73,608,012	\$73,608,012	
	Fund Sources: Internal Service.....	\$73,608,012	\$73,608,012	
	Authority: Title 2.2, Chapter 11, Article 4, § 2.2-1156, Code of Virginia.			
	A. Out of this appropriation, \$73,608,012 the first year and \$73,608,012 the second year for Statewide Leasing and Disposal Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues from rent payments or fees to be paid by state agencies and institutions for their occupancy of facilities and management of real property transactions, including, but not necessarily limited to, leases of non-state owned office space throughout the Commonwealth for use by such agencies and institutions. Also included are funds to pay costs associated with the disposal of state-owned real property and interests therein. In implementing the program, the Department of General Services may utilize brokerage services, portfolio management strategies, personnel policies, and compensation practices generally consistent with prevailing industry best practices.			
	B.1. The costs paid for each sale of state-owned property shall be returned to the fund upon sale of the property in an amount calculated at 115 percent of such costs.			
	2. The rate charged for administration of single-agency leases shall be four percent of lease costs and the rate for administration of master leases shall be five percent of lease costs. Fees approved in accordance with § 4-5.03 of this act may also be charged for one-time transactions.			
82.	Procurement Services (73000).....		\$66,930,235	\$66,830,235
	Statewide Procurement Services (73002).....	\$30,613,042	\$30,513,042	
	Surplus Property Programs (73007).....	\$2,065,504	\$2,065,504	
	Statewide Cooperative Procurement and Distribution Services (73008).....	\$34,251,689	\$34,251,689	
	Fund Sources: General.....	\$2,102,346	\$2,002,346	
	Special.....	\$3,787,391	\$3,787,391	
	Enterprise.....	\$24,723,305	\$24,723,305	
	Internal Service.....	\$36,317,193	\$36,317,193	
	Authority: Title 2.2, Chapter 11, Articles 3 and 6, Code of Virginia.			
	A. 1. Out of this appropriation, \$609,042 the first year and \$609,042 the second year for federal surplus property is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges for services.			

ITEM 82.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>2. Out of this appropriation, \$1,456,462 the first year and \$1,456,462 the second year for state surplus property is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges for services.</p> <p>B. Out of this appropriation, \$34,251,689 the first year and \$34,251,689 the second year for Statewide Cooperative Procurement and Distribution Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges for services.</p> <p>C. The Commonwealth's statewide electronic procurement system and program known as eVA will be financed by fees assessed to state agencies and institutions of higher education and vendors.</p> <p>D. The Department of General Services shall allow nonprofit food banks operating in Virginia and granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to purchase directly from the Virginia Distribution Center.</p> <p>E.1. The Department of General Services, for goods and services requirements identified by the Virginia Department of Social Services and the Virginia Department of Emergency Management, is directed to develop and maintain a list of emergency contracts for use by state agencies responsible for emergency response and recovery, and to establish contracts for resources, goods and services, as identified by the Virginia Department of Social Services and the Virginia Department of Emergency Management in the event of state shelter activation during a declaration of state emergency.</p> <p>2. Following completion or revision by the Department of Social Services of documentation, pursuant to Item 349, paragraph B, regarding the specifications of goods and services required in the event of shelter activation, the department shall take necessary steps, in compliance with the Virginia Public Procurement Act, to timely negotiate, execute, or amend contracts sufficient to support the goods and services needs identified by the Department of Social Services and the Virginia Department of Emergency Management.</p> <p>3. Upon completion of the required documentation by the Department of Social Services referenced above, the Department of General Services, in consultation with relevant state agencies, shall submit a report identifying options for warehousing supplies needed to support state shelters to include associated storage and supply management resource costs to store and maintain needed supplies. The department shall report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Administration, the Secretary of Health and Human Resources, the Secretary of Education, and the Secretary of Public Safety and Homeland Security, and the Secretary of Finance.</p>				
83.	Physical Plant Management Services (74100).....		\$59,628,841	\$60,671,847
	Parking Facilities Management (74105).....	\$5,482,079	\$5,482,079	
	Statewide Building Management (74106).....	\$47,093,854	\$48,130,698	
	Statewide Engineering and Architectural Services (74107).....	\$6,342,113	\$6,342,113	
	Seat of Government Mail Services (74108).....	\$710,795	\$716,957	
	Fund Sources: General.....	\$2,711,095	\$2,717,257	
	Special.....	\$5,482,079	\$5,482,079	
	Internal Service.....	\$51,435,667	\$52,472,511	

Authority: Title 2.2, Chapter 11, Articles 4, 6, and 8; § 58.1-3403, Code of Virginia.

A.1. Out of this appropriation, \$45,557,636 the first year and \$46,594,480 the second year for Statewide Building Management represent a sum sufficient internal service fund which shall be paid from revenues from rental charges assessed to occupants of seat of government buildings controlled, maintained, and operated by the Department of General Services and fees paid for other building maintenance and operation services provided through service agreements and special work orders. The internal service fund shall support the facilities at the seat of government and maintenance and operation of such other state-owned facilities as the Governor or department may direct, as otherwise provided by law.

2. The rent rate for occupants of office space in seat of government facilities operated and maintained by the Department of General Services, excluding the building occupants that



<b>ITEM 83.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2023</b>	<b>FY2024</b>

currently have maintenance service agreements with the department, shall be \$15.96 per square foot the first year and \$15.96 the second year.

3. On or before September 1 of each year, the Department of General Services shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Administration, and the Department of Planning and Budget regarding the operations and maintenance costs of all buildings controlled, maintained, and operated by the Department of General Services. The report shall include, but not be limited to, the cost and fund source associated with the following: utilities, maintenance and repairs, security, custodial services, groundskeeping, direct administration and other overhead, and any other operations or maintenance costs for the most recently concluded fiscal year. The amount of unleased space in each building shall also be reported.

4. Further, out of the estimated cost for Statewide Building Management, amounts estimated at \$3,061,776 the first year and \$3,061,776 the second year shall be paid for Payment in Lieu of Taxes. In addition to the amounts for Statewide Building Management, the following sums, estimated at the amounts shown for this purpose, are included in the appropriations for the agencies identified:

	<b>FY 2023</b>	<b>FY 2024</b>
Alcoholic Beverage Control Authority	\$102,931	\$102,931
Department of Motor Vehicles	\$252,815	\$252,815
Department of State Police	\$797	\$797
Department of Transportation	\$229,540	\$229,540
Department for the Blind and Vision Impaired	\$5,788	\$5,788
Science Museum of Virginia	\$17,904	\$17,904
Virginia Museum of Fine Arts	\$158,513	\$158,513
Virginia Retirement System	\$53,425	\$53,425
Veterans Services	\$174,799	\$174,799
Workers' Compensation Commission	\$84,267	\$84,267
<b>TOTAL</b>	<b>\$1,080,779</b>	<b>\$1,080,779</b>

B.1. Out of this appropriation, \$5,878,031 the first year and \$5,878,031 the second year for Statewide Engineering and Architectural Services provided by the Division of Engineering and Buildings represent a sum sufficient internal service fund which shall be paid from revenues from fees paid by state agencies and institutions of higher education for the review of architectural, mechanical, and life safety plans of capital outlay projects.

2. In administering this internal service fund, the Division of Engineering and Buildings (DEB) shall provide capital project cost review services to state agencies and institutions of higher education and produce capital project cost analysis work products for the Department of Planning and Budget. DEB shall collect fees, consistent with those fees authorized above in paragraph B.1, from state agencies and institutions of higher education for completed capital project cost review services or work products.

3. The hourly rate for engineering and architectural services shall be \$192.00 the first year and \$192.00 the second year, excluding contracted services and other special rates as authorized pursuant to § 4-5.03 of this act.

4. Out of the amounts appropriated in this Item, \$464,182 the first year and \$464,182 the second year from the general fund is provided for the Division of Engineering and Buildings to support the Commonwealth's capital budget and capital pool process for which fees authorized in this paragraph cannot otherwise be assessed.

C. Interest on the employee vehicle parking fund authorized by § 4-6.04 c of this act shall be added to the fund as earned.

D. The Department of General Services shall, in conjunction with affected agencies, develop, implement, and administer a consolidated mail function to process inbound and outbound mail for agencies located in the Richmond metropolitan area. The consolidated mail function shall include the establishment of a centralized mail receiving and outbound

ITEM 83.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

processing location or locations, and the enhancement of mail security capabilities within these location(s).

E. All new and renovated state-owned facilities, if the renovations are in excess of 50 percent of the structure's assessed value, that are over 5,000 gross square feet shall be designed and constructed consistent with energy performance standards at least as stringent as the U.S. Green Building Council's LEED rating system or the Green Globes rating system.

F. The total service charge for payment in lieu of taxes to the City of Richmond for the property known as the General Assembly Building and the State Capitol Building shall not exceed \$70,000 per fiscal year.

G. The Director of the Department of General Services shall work with the Commissioner of the Department of Transportation and other agencies to maximize the use of light-emitting diodes (LEDs) instead of traditional incandescent light bulbs when any state agency installs new outdoor lighting fixtures or replaces nonfunctioning light bulbs on existing outdoor lighting fixtures as long as the LEDs lights are determined to be cost effective.

H. Notwithstanding the provisions of Acts of Assembly 1889, Chapter 24, which is hereby repealed, the Department of General Services, in accordance with the direction and instruction of the Governor, shall remove and store the Robert E. Lee Monument or any part thereof.

84.	Transportation Pool Services (82300).....			\$20,261,389	\$20,261,389
	Statewide Vehicle Management Services (82302).....	\$20,261,389	\$20,261,389		
	Fund Sources: Internal Service.....	\$20,261,389	\$20,261,389		

Authority: Title 2.2, Chapter 11, Article 7; § 2.2-120, Code of Virginia.

A. The appropriation for Statewide Vehicle Management Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges to agencies for fleet management services.

B. Charges for central fleet vehicles leased by state agencies and institutions shall be the vehicle purchase cost and interest charges amortized over a period of 84 months or less, in addition to a standard monthly operating charge of \$120.00 the first year and \$120.00 the second year per vehicle for the cost of maintenance and support.

C. In addition to providing services to state agencies and institutions, fleet management services may also be provided to local public bodies on a fee for service basis in accordance with established Department of General Services Fleet Management policies and procedures.

D. The Department of General Services shall manage the Commonwealth's consolidation of bulk and commercial fuel contracts awarded in response to Chapter 879, Acts of Assembly of 2008, Item 1-83 C. The intent of this consolidation is to leverage the Commonwealth's state and local public entities, gasoline and diesel fuel purchase volume to achieve the most favored pricing from private sector fuel providers, and reduce procurement administration workload from state agencies, institutions, local government entities, and other authorized users of awarded contracts that would have otherwise procured and contracted separately for these commodities.

E. The Commonwealth of Virginia, Department of General Services may enter into a comprehensive agreement, or multiple comprehensive agreements, pursuant to the Public-Private Education Facilities and Infrastructure Act – 2002 (§ 56-575.1 et seq.), to achieve the purposes of § 2.2-1176 (B) and result in the replacement of state-owned or operated vehicles with vehicles that operate on alternative fuels. Any agreement entered into must be cost neutral or result in a reduction in the Commonwealth's combined vehicle acquisition and operational costs, and result in lower environmental emissions. The agreements shall not be subject to the requirements found in Title 30, Chapter 42, Code of Virginia (§ 30-278 et. seq.). The Director, Department of General Services, in consultation with the Governor's Senior Advisor on Energy and the Secretary of Finance, shall determine whether the agreement is cost neutral or results in cost savings to the Commonwealth.

F. The comprehensive agreement referenced in paragraph E. above, may allow for the Department of General Services (DGS) to establish alternative fuels (natural gas, propane,

ITEM 84.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
electric) fueling sites at its office of fleet management facility in Richmond, Virginia. Such sites may be open to the general public for the purchase of alternative fuels when such fuels are not available on the retail market within 10 miles of the DGS fleet management facility. Rates for fuel purchased by the general public will be established by the private vendor operating the fueling site. In emergency situations or fuel shortages, the Commonwealth retains the ability to restrict access to such sites as necessary.				
85.	Administrative and Support Services (79900).....		\$6,124,171	\$6,148,833
	General Management and Direction (79901).....	\$3,690,527		\$3,690,527
	Information Technology Services (79902).....	\$2,433,644		\$2,458,306
	Fund Sources: General.....	\$6,000,865		\$6,000,865
	Enterprise.....	\$123,306		\$147,968

Authority: Title 2.2, Chapter 11 and Chapter 24, Article 1, Code of Virginia.

A.1. The Department shall lead, provide administrative support to, and convene an annual public body procurement workgroup to review and study proposed changes to the Code of Virginia in areas of non-technology goods and services, technology goods and services, construction, transportation, and professional services procurements. The workgroup shall consist of the Director of the Department of Small Business and Supplier Diversity, Director of the Department of General Services, the Chief Information Officer of Virginia Information Technology Agency, Commissioner of the Virginia Department of Transportation, Director of the Department of Planning and Budget, the President of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP), the President of the Virginia Association of Governmental Purchasing or their designees; a representative from the Office of the Attorney General Government Operations and Transactions Division, a staff member of the Virginia House Appropriations Committee, Senate Finance and Appropriations Committee, and Division of Legislative Services.

2. The workgroup is charged with hearing legislation referred by letter from the Chairs of the House Rules, General Laws, and Appropriations Committees, and Chairs of the Senate Rules, General Laws and Technology, and Finance and Appropriations Committees. The workgroup will hear from stakeholders identified by the patron of the referred legislation and other interested individuals to discuss the legislation's impacts to: 1) small businesses to include women and minorities; 2) the Commonwealth's budget; and 3) the Commonwealth's procurement processes. Such meetings will be open to the public. In addition, the Chairs of the House Rules and House Appropriations Committees and Chairs of Senate Rules and Senate Finance and Appropriations Committees may request the workgroup review procurement related proposals in advance of upcoming legislative sessions to better understand potential impacts prior to the start of the annual General Assembly Session.

B. The Department of General Services, in collaboration with the Virginia Information Technologies Agency, shall inventory state agency call center contractual staffing solutions currently in place, and make recommendations on the benefit of developing a statewide standing call center staffing augmentation contract. The agencies shall report findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 31, 2022.

Total for Department of General Services.....			<b>\$275,099,521</b>	<b>\$276,384,201</b>
General Fund Positions.....	280.00	280.00		
Nongeneral Fund Positions.....	436.00	436.00		
Position Level.....	716.00	716.00		
Fund Sources: General.....	\$30,724,655	\$30,947,829		
Special.....	\$9,289,470	\$9,289,470		
Enterprise.....	\$40,915,620	\$40,940,282		
Internal Service.....	\$186,756,616	\$187,793,460		
Federal Trust.....	\$7,413,160	\$7,413,160		

ITEM 85.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
86.			\$116,457,838	\$115,328,063
	Personnel Management Services (70400).....			
	Agency Human Resource Services (70401).....	\$2,339,985	\$1,865,985	
	Human Resource Service Center (70402).....	\$1,129,478	\$1,129,478	
	Equal Employment Services (70403).....	\$490,221	\$490,221	
	Health Benefits Services (70406).....	\$12,954,791	\$12,954,791	
	Personnel Development Services (70409).....	\$783,162	\$783,162	
	Personnel Management Information Services (70410).....	\$1,803,014	\$1,222,239	
	Employee Dispute Resolution Services (70416).....	\$1,214,092	\$1,214,092	
	State Employee Program Services (70417).....	\$1,902,385	\$1,902,385	
	State Employee Workers' Compensation Services (70418).....	\$91,512,934	\$91,512,934	
	Administrative and Support Services (70419).....	\$2,327,776	\$2,252,776	
	Fund Sources: General.....	\$8,438,334	\$7,542,572	
	Special.....	\$1,739,642	\$1,739,642	
	Enterprise.....	\$3,598,583	\$3,598,583	
	Internal Service.....	\$10,739,343	\$10,505,330	
	Trust and Agency.....	\$91,941,936	\$91,941,936	

Authority: Title 2.2, Chapters 12 and 28, 29, 30, and 32, Code of Virginia.

A. The Department of Human Resource Management shall report any proposed changes in premiums, benefits, carriers, or provider networks to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees at least sixty days prior to implementation.

B.1. The Department of Human Resource Management shall operate a human resource service center to support the human resource needs of those agencies identified by the Secretary of Administration in consultation with the Department of Planning and Budget. The agencies identified shall cooperate with the Department of Human Resource Management by transferring such records and functions as may be required.

2. Nothing in this paragraph shall prohibit additional agencies from using the services of the center; however, these additional agencies' use of the human resource service center shall be subject to approval by the affected cabinet secretary and the Secretary of Administration.

3. The cost of the human resource center's services shall be recovered and paid solely from revenues derived from charges for services. The rates required to recover the costs of the human resource service center shall be provided by the Department of Human Resource Management to the Department of Planning and Budget by September 1 each year for review and approval of the subsequent fiscal year's rate in accordance with § 4-5.03 of this act.

4. The rates for the human resource service center shall be \$1,593.00 per full-time equivalent and \$637.00 per wage employee the first year and \$1,593.00 per full-time equivalent and \$637.00 per wage employee the second year.

C. The institutions of higher education shall be exempt from the centralized advertising requirements identified in Executive Order 73 (01).

D.1. To ensure fair and equitable performance reviews, the Department of Human Resource Management, within available resources, is directed to provide performance management training to agencies and institutions of higher education with classified employees.

2. Agency heads in the Executive Department are directed to require appropriate performance management training for all agency supervisors and managers.

E. The Department of Human Resource Management shall take into account the claims experience of each agency and institution when setting premiums for the workers' compensation program.

F.1. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by October 30 of each year, on its recommended workers' compensation premiums for state

ITEM 86.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

agencies for the following biennium. This report shall also include the basis for the department's recommendations; the status and recommendations of the loss control program authorized in paragraph F. 2; the number and amount of workers' compensation settlements concluded in the previous fiscal year, inclusive of those authorized in paragraph F. 3.a; and the impact of those settlements on the workers' compensation program's reserves.

2. Beginning July 1, 2015, the Department of Human Resource Management shall conduct an annual review of each state agency's loss control history, to include the severity of workers' compensation claims, experience modification factor, and frequency normalized by payroll. Based on the annual review, state agencies deemed by the Department of Human Resource Management as having higher than normal loss history shall be required to participate in a loss control program. All executive, judicial, legislative, and independent agencies required to participate in the loss control program shall fully cooperate with the Department of Human Resource Management's review.

3.a. A working capital advance of up to \$20,000,000 shall be provided to the Department of Human Resource Management to identify and potentially settle certain workers' compensation claims open for more than one year but less than 10 years. The Department of Human Resource Management shall pay back the working capital advance from annual premiums over a seven-year period.

b. The Secretary of Finance and Secretary of Administration shall approve the drawdowns from this working capital advance prior to the expenditure of funds. The State Comptroller shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees of any approved drawdowns.

G. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, by October 15 of each year, on the renewal cost of the state employee health insurance program premiums that will go into effect on July 1 of the following year. This report shall include the impact of the renewal cost on employee and employer premiums and a valuation of liabilities as required by Other Post Employment Benefits reporting standards.

H. The Department of Human Resource Management shall develop and distribute instructions and guidelines to all executive department agencies for the provision of an annual statement of total compensation for each classified employee. The statement should account for the full cost to the Commonwealth and the employee of cash compensation as well as Social Security, Medicare, retirement, deferred compensation, health insurance, life insurance, and any other benefits. The Director, Department of Human Resource Management, shall ensure that all executive department agencies provide this notice to each employee. The Department of Accounts and the Virginia Retirement System shall provide assistance upon request. Further, the Director of the Department of Human Resource Management shall provide instructions and guidelines for the development notices of total compensation to all independent, legislative, and judicial agencies, and institutions of higher education for preparation of annual statements to their employees.

I. 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 include contact information in their email signature, which shall include, at a minimum, an office phone number and/or state cell phone number.

J. The Department of Human Resource Management shall work with the Department of General Services to review the feasibility of offering childcare services to state employees within the Capitol Square complex. As part of the review, the Department shall consider the feasibility of reestablishing the childcare center in the VDOT building at 1201 East Broad Street. The Department shall report its recommendations to the Governor and the General Assembly by November 1, 2022.

K. The Department of Human Resource Management (DHRM) shall compile data related to the number of employees teleworking and the number of days per week such employees

ITEM 86.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>telework, by agency. Such data shall include: i.) the number of employees teleworking and days per week such employees teleworked under approved agency-based telework agreements during calendar year 2019, and the percentage of the overall agency personnel complement such employees represented; ii.) the number of employees teleworking and days per week such employees teleworked from March 2020 through July 4, 2022, and the percentage of the overall agency personnel complement such employees represented; and iii.) the number of employees approved for teleworking and days per week such employees telework under the Standard Telework Agreement, effective July 5, 2022, pursuant to DHRM Policy 1.61, and the percentage of the overall personnel complement such employees represent. DHRM shall prepare and deliver a report including such data to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022.</p>				
Total for Department of Human Resource Management.....			\$116,457,838	\$115,328,063
General Fund Positions.....		56.90	54.90	
Nongeneral Fund Positions.....		62.10	62.10	
Position Level.....		119.00	117.00	
Fund Sources: General.....		\$8,438,334	\$7,542,572	
Special.....		\$1,739,642	\$1,739,642	
Enterprise.....		\$3,598,583	\$3,598,583	
Internal Service.....		\$10,739,343	\$10,505,330	
Trust and Agency.....		\$91,941,936	\$91,941,936	

**Administration of Health Insurance (149)**

87.	Personnel Management Services (70400).....			\$2,301,071,067	\$2,301,071,067
	Health Benefits Services (70406).....	\$1,678,195,823	\$1,678,195,823		
	Local Health Benefit Services (70407).....	\$587,455,244	\$587,455,244		
	Health Insurance Benefit Payment Under the Line of Duty Act (70408).....	\$35,420,000	\$35,420,000		
	Fund Sources: Enterprise.....	\$587,455,244	\$587,455,244		
	Internal Service.....	\$1,678,195,823	\$1,678,195,823		
	Trust and Agency.....	\$35,420,000	\$35,420,000		

Authority: § 2.2-2818, § 2.2-1204, and Title 9.1, Chapter 4, Code of Virginia.

A. The appropriation for Health Benefits Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues paid by state agencies to the Department of Human Resource Management.

B. The amounts for Local Health Benefits Services include estimated revenues received from localities for the local choice health benefits program.

C.1. In the event that the total of all eligible claims exceeds the balance in the state employee medical reimbursement account, there is hereby appropriated a sum sufficient from the general fund of the state treasury to enable the payment of such eligible claims.

2. The term "employee medical reimbursement account" means the account administered by the Department of Human Resource Management pursuant to § 125 of the Internal Revenue Code in connection with the health insurance program for state employees (§ 2.2-2818, Code of Virginia).

D. Any balances remaining in the reserved component of the Employee Health Insurance Fund shall be considered part of the overall Health Insurance Fund. It is the intent of the General Assembly that future premiums for the state employee health insurance program shall be set in a manner so that the balance in the Health Insurance Fund will be sufficient to meet the estimated Incurred But Not Paid liability for the Fund and maintain a contingency reserve at a level recommended by the Department of Human Resource Management for a self-insured plan subject to the approval of the General Assembly.

ITEM 87.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>E. The Department of Human Resource Management shall implement a Medication Therapy Management pilot program for state employees with certain disease states including Type II diabetes. The department shall continue to consult with all provider stakeholders in order to establish program parameters.</p> <p>F. Concurrent with the date the Governor introduces the budget bill, the Directors of the Departments of Planning and Budget and Human Resource Management shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees a report detailing the assumptions included in the Governor's introduced budget for the state employee health insurance plan. The report shall include the proposed premium schedule that would be effective for the upcoming fiscal year and any proposed changes to the benefit structure.</p> <p>G. In addition to such other payments as may be available, the full cost of group health insurance, net of any deductions and credits, for the surviving spouses and dependents of certain public safety officers killed in the line of duty and for certain public safety officers disabled in the line of duty, and the spouses and dependents of such disabled officers, are payable from this Item pursuant to Title 9.1, Chapter 4, Code of Virginia, effective July 1, 2017.</p>				
Total for Administration of Health Insurance.....			\$2,301,071,067	\$2,301,071,067
Fund Sources: Enterprise.....		\$587,455,244	\$587,455,244	
Internal Service.....		\$1,678,195,823	\$1,678,195,823	
Trust and Agency.....		\$35,420,000	\$35,420,000	
<b>Virginia Management Fellows Program Administration (164)</b>				
88.	Administrative and Support Services (79900).....		\$1,513,961	\$1,513,961
	General Management and Direction (79901).....	\$1,513,961	\$1,513,961	
	Fund Sources: General.....	\$1,513,961	\$1,513,961	
Authority: Discretionary Inclusion				
<p>A. Out of the appropriation for this Item is included \$1,513,961 the first year and \$1,513,961 the second year from the general fund for a joint internship and management training program to assist in improving leadership, management, and succession planning capabilities of all branches of state government. The Department of Human Resource Management shall contract with a Virginia public university for the continuation of the program. Any balances remaining from the appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support the Virginia Management Fellows program in the subsequent fiscal year.</p> <p>B. The Department of Planning and Budget is authorized to transfer amounts from the appropriation in this item to applicable state agencies as required to execute the purposes of this item.</p>				
Total for Virginia Management Fellows Program Administration.....			\$1,513,961	\$1,513,961
General Fund Positions.....		18.00	18.00	
Position Level.....		18.00	18.00	
Fund Sources: General.....		\$1,513,961	\$1,513,961	
Grand Total for Department of Human Resource Management.....			\$2,419,042,866	\$2,417,913,091
General Fund Positions.....		74.90	72.90	
Nongeneral Fund Positions.....		62.10	62.10	
Position Level.....		137.00	135.00	
Fund Sources: General.....		\$9,952,295	\$9,056,533	
Special.....		\$1,739,642	\$1,739,642	

ITEM 88.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Enterprise.....	\$591,053,827	\$591,053,827		
Internal Service.....	\$1,688,935,166	\$1,688,701,153		
Trust and Agency.....	\$127,361,936	\$127,361,936		

**§ 1-31. DEPARTMENT OF ELECTIONS (132)**

89.	Electoral Services (72300).....			\$21,508,425	\$19,314,633
	Electoral Administration, Uniformity, Legality, and Quality Assurance Services (72302).....	\$1,642,224	\$1,642,224		
	Statewide Voter Registration System and Associated Information Technology Services (72304).....	\$12,184,511	\$12,184,511		
	Campaign Finance Disclosure Administration Services (72309).....	\$183,885	\$183,885		
	Voter Services and Communications (72311).....	\$4,323,816	\$2,123,816		
	Administrative Services (72312).....	\$3,173,989	\$3,180,197		
	Fund Sources: General.....	\$18,456,175	\$16,262,383		
	Special.....	\$52,250	\$52,250		
	Trust and Agency.....	\$3,000,000	\$3,000,000		

Authority: Title 24.2, Chapter 1, Code of Virginia.

A. It is the intention of the General Assembly that all local precincts, other than central absentee precincts established under § 24.2-712, Code of Virginia, will use electronic pollbooks for elections held beginning in November, 2010.

B. Any locality using paper pollbooks for elections held beginning in November, 2010, shall be responsible for entering voting credit as provided in § 24.2-668. Additionally, any locality using paper pollbooks for elections held after November, 2010 may be required to reimburse the Department of Elections for state costs associated with providing paper pollbooks.

C. The State Board of Elections shall by regulation provide for an administrative fee up to \$25 for each non-electronic report filed with the State Board under § 24.2-947.5. The regulation shall provide for waiver of the fee based upon indigence.

D. All unpaid charges and civil penalties assessed under Title 24.2 shall be subject to interest, the administrative collection fee and late penalties authorized in the Virginia Debt Collection Act, Chapter 48 of Title 2.2, § 2.2-4800 et seq.

E. 1. It is the intent of the General Assembly that federal awards from the Help America Vote Act of 2002 (HAVA) under P.L. 116-93 be used to replace the Virginia Election and Registration Information System (VERIS). Any remaining balances out of the amounts appropriated in Item 86, paragraph I, of Chapter 552, 2021 Acts of Assembly, Special Session I, may be used to support VERIS replacement and shall serve as the state's required match to receive the federal HAVA award.

2. The Secretary of Finance and Secretary of Administration shall approve the allotment of remaining balances out of the amount appropriated in Item 86, paragraph I.3, of Chapter 552, 2021 Acts of Assembly, Special Session, to be used for VERIS replacement costs after the exhaustion of all available HAVA funding eligible for this purpose and the initial required state match component of \$2,035,142.

3. Any balances remaining from the appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support VERIS replacement in the subsequent fiscal year.

F. Out of this appropriation, \$2,200,000 the first year from the general fund is provided for the department to mail Voter Information Notices to all registered voters in the Commonwealth of Virginia in response to changes made to the districts of the House of Delegates, the districts of the Senate of Virginia, the districts of Congressional Representatives, and some local districts during the redistricting process in accordance with the provisions of § 24.2-306, Code of Virginia. The department shall include information on new voter legislative districts, and, to the extent it is available, new polling locations in this notice.



ITEM 89.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
G. Out of this appropriation, \$6,208 the first year and \$12,416 the second year from the general fund is provided to support costs associated with the expansion of the State Board of Elections.				
H. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year from the general fund is provided for the department to educate voters on the laws and regulations governing elections in Virginia, upcoming general elections, primaries, and special elections, and any changes to Virginia's legislative districts and voter precincts.				
90. Financial Assistance for Electoral Services (78000)			\$10,077,280	\$10,077,280
Financial Assistance for General Registrar Compensation (78001).....	\$9,080,525	\$9,080,525		
Financial Assistance for Local Electoral Board Compensation and Expenses (78002).....	\$996,755	\$996,755		
Fund Sources: General.....	\$10,077,280	\$10,077,280		

Authority: Title 24.2, Chapter 1, Code of Virginia.

A.1.a. In determining the salary for each general registrar, the Department of Elections shall use the most recent provisional population estimate from the Weldon Cooper Center for Public Service of the University of Virginia. The Department of Elections shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent general registrar remains in office.

b. The annual salaries of general registrars, in accordance with the provisions of § 24.2-111, Code of Virginia, shall be as hereinafter prescribed.

Population	August 1, 2022	July 1, 2023
	to June 30, 2023	to June 30, 2024
0-9,999	\$71,000	\$74,550
10,000-19,999	\$78,892	\$82,837
20,000-39,999	\$87,658	\$92,041
40,000-69,999	\$97,395	\$102,265
70,000-99,999	\$108,218	\$113,629
100,000-174,999	\$120,238	\$126,250
175,000-249,999	\$126,570	\$132,899
250,000 and above	\$143,831	\$151,023

c. Any locality required to supplement the salary of a general registrar on June 30, 1981, shall continue that supplement at the identical annual amount as paid in FY 1982. This supplement shall continue as long as the incumbent general registrar on July 1, 1982, continues in office. Further, any locality may supplement the annual salary of the general registrar. There shall be no reimbursement out of the state treasury for such supplements.

2. General registrars in the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park shall receive a cost of competition supplement equal to 15 percent of the salaries authorized in paragraph A.1.a. The cost of this supplement shall be paid out of the general fund of the state treasury.

B.1.a. The Department of Elections shall set the annual compensation for secretaries and members of local electoral boards on July 1 of each year. In determining such compensation, the Department of Elections shall use the most recent provisional population estimate from the Weldon Cooper Center for Public Service of the University of Virginia.

b. The annual compensation of the secretary of each local electoral board shall be as hereinafter prescribed.

ITEM 90.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	<b>August 1, 2022</b>		<b>July 1, 2023</b>	
	<b>to</b>		<b>to</b>	
	<b>June 30, 2023</b>		<b>June 30, 2024</b>	
<b>Population</b>				
0-10,000		\$2,442		\$2,564
10,001-25,000		\$3,659		\$3,842
25,001-50,000		\$4,878		\$5,122
50,001-100,000		\$6,098		\$6,403
100,001-150,000		\$7,315		\$7,681
150,001-200,000		\$8,555		\$8,983
200,001-350,000		\$9,764		\$10,252
Above 350,000		\$10,978		\$11,527

c. The annual compensation of other members of local electoral boards shall be fixed at one-half the annual compensation provided to the secretary of the board.

d. The governing body of any county or city may pay to a full-time secretary of an electoral board such supplemental compensation as it deems appropriate. There shall be no reimbursement out of the state treasury for such supplements.

2. Nothing herein contained shall prevent the governing body of any county or city from paying the secretary of its electoral board such additional allowance for expenses as it deems appropriate but there shall be no reimbursement out of the state treasury for such expenses.

3. Notwithstanding § 24.2-108, Code of Virginia, counties and cities shall not be reimbursed for mileage paid to members of electoral boards.

Total for Department of Elections.....			<b>\$31,585,705</b>	<b>\$29,391,913</b>
General Fund Positions.....	66.00	66.00		
Position Level.....	66.00	66.00		
Fund Sources: General.....	\$28,533,455	\$26,339,663		
Special.....	\$52,250	\$52,250		
Trust and Agency.....	\$3,000,000	\$3,000,000		

**§ 1-32. VIRGINIA INFORMATION TECHNOLOGIES AGENCY (136)**

91. Information Technology Development and Operations (82000).....			\$413,083,342	\$415,311,321
Network Services -- Data, Voice, and Video (82003).	\$143,829,180	\$143,542,794		
Data Center Services (82005).....	\$37,089,256	\$39,635,269		
Desktop and End User Services (82006).....	\$190,527,180	\$190,682,442		
Multisourcing Service Integrator (MSI) Oversight Services (82009).....	\$32,046,555	\$31,902,700		
Computer Operations Security Services (82010).....	\$9,591,171	\$9,548,116		
Fund Sources: Internal Service.....	\$413,083,342	\$415,311,321		

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A. Out of this appropriation, \$413,083,342 the first year and \$415,311,321 the second year for Information Technology Development and Operations is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges for services.

B. Political subdivisions and local school divisions are hereby authorized to purchase information technology goods and services of every description from the Virginia Information Technologies Agency and its vendors, provided that such purchases are not prohibited by the terms and conditions of the contracts for such goods and services.

C. 1. The Secretary of Finance and Secretary of Administration shall approve the draw downs from the agency's line of credit authorized in § 3-2.03 of this act prior to the expenditure of

ITEM 91.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
funds for costs associated with replacing or implementing information technology services currently provided by the multi-supplier vendor model.				
2. The Director, Department of Planning and Budget, is authorized to administratively adjust the appropriation in this item and Item 93 of this act for approved transition costs associated with replacing or implementing information technology services currently provided by the multi-supplier vendor model.				
D. The Virginia Information Technologies Agency shall continue to identify the charge-back structure to allocate costs based on agencies' consumption of data storage. The funds from this charge-back structure shall be used to support the Chief Data Officer's efforts to create a Commonwealth data inventory, and enterprise data dictionary and catalog.				
E. The Virginia Information Technologies Agency shall provide a network infrastructure report to the House Appropriations Committee, Senate Finance and Appropriations Committee, and Joint Legislative Audit and Review Commission by November 1 of each year. The report shall indicate whether the Commonwealth's network infrastructure is adequate to meet the needs of state agencies, and if not, identify any needed upgrades. For each network infrastructure upgrade identified, the report shall specify the estimated cost and whether the upgrade is to the portion of the network maintained by the Virginia Information Technologies Agency or another state agency.				
92.	Central Support Services for Business Solutions (82400).....		\$6,865,060	\$6,865,060
	Information Technology Services for Data Exchange Programs (82401).....	\$6,632,234	\$6,632,234	
	Information Technology Services for Productivity Improvements (82402).....	\$232,826	\$232,826	
	Fund Sources: Internal Service.....	\$6,865,060	\$6,865,060	
Authority: Title 2.2, Chapter 20.1, Code of Virginia.				
A. The appropriation for Central Support Services for Business Solutions is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges for services. Included in these amounts are the projected first and second year costs for workplace productivity and collaboration solutions. These solutions are offered as optional services to executive branch agencies and other customers.				
B. Included in the amounts provided in paragraph A. of this item is \$75,000 the first year and \$75,000 the second year shall be used to implement a training curriculum for state employees on best practices for cyber security.				
93.	Administrative and Support Services (89900).....		\$79,250,638	\$54,623,639
	General Management and Direction (89901).....	\$55,545,361	\$29,900,489	
	Accounting and Budgeting Services (89903).....	\$10,770,014	\$11,697,385	
	Human Resources Services (89914).....	\$937,135	\$956,817	
	Planning and Evaluation Services (89916).....	\$3,372,006	\$3,442,826	
	Procurement and Contracting Services (89918).....	\$5,422,342	\$5,422,342	
	Web Development and Support Services (89940)....	\$3,203,780	\$3,203,780	
	Fund Sources: General.....	\$4,921,400	\$0	
	Special.....	\$11,448,356	\$12,169,356	
	Internal Service.....	\$41,484,486	\$42,454,283	
	Federal Trust.....	\$21,396,396	\$0	
Authority: Title 2.2, Chapter 20.1, Code of Virginia.				
A.1. Out of this appropriation, \$41,484,486 the first year and \$42,454,283 the second year for Administrative and Support Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from charges to other programs within this agency.				
2. In accordance with § 2.2-2013 D, Code of Virginia, the surcharge rate used to fund				

ITEM 93.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>expenses for operations and staff of services administered by the Virginia Information Technologies Agency shall be no more than 11.79 percent the first year and 12.13 percent the second year.</p>				
<p>3. Included in the amounts for Administrative and Support Services are funds from the Acquisition Services Special Fund which is paid solely from receipts from vendor information technology contracts. These funds will be used to finance procurement and contracting activities and costs unallowable for federal fund reimbursement.</p>				
<p>B. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Virginia Port Authority.</p>				
<p>C. The requirement that the Department of Behavioral Health and Developmental Services purchase information technology equipment or services from the Virginia Information Technologies Agency according to the provisions of Chapters 981 and 1021 of the Acts of Assembly of 2003 shall not adversely impact the provision of services to mentally disabled clients.</p>				
<p>D. The Chief Information Officer and the Secretary of Administration shall provide the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees with a report detailing any amendments or modifications to the information technology infrastructure services contracts. The report shall include statements describing the fiscal impact of such amendments or modifications and shall be submitted within 30 days following the signing of any amended agreement.</p>				
<p>E.1. Notwithstanding the provisions of §§ 2.2-1509, 2.2-2007 and 2.2-2017, Code of Virginia, the scope of formal reporting on major information technology projects in the Recommended Technology Investment Projects (RTIP) report is reduced. The efforts involved in researching, analyzing, reviewing, and preparing the report will be streamlined and project ranking will be discontinued. Project analysis will be targeted as determined by the Chief Information Officer (CIO) and the Secretary of Administration. Information on major information technology investments will continue to be provided General Assembly members and staff. Specifically, the following tasks will not be required, though the task may be performed in a more streamlined fashion: (i) The annual report to the Governor, the Secretary, and the Joint Commission on Technology and Science; (ii) The annual report from the CIO for submission to the Secretary, the Information Technology Advisory Council, and the Joint Commission on Technology and Science on a prioritized list of Recommended Technology Investment Projects (RTIP Report); (iii) The development by the CIO and regular update of a methodology for prioritizing projects based upon the allocation of points to defined criteria and the inclusion of this information in the RTIP Report; (iv) The indication by the CIO of the number of points and how they were awarded for each project recommended for funding in the RTIP Report; (v) The reporting, for each project listed in the RTIP, of all projected costs of ongoing operations and maintenance activities of the project for the next three biennia following project implementation, a justification and description for each project baseline change, and whether the project fails to incorporate existing standards for the maintenance, exchange, and security of data; and (vii) The reporting of trends in current projected information technology spending by state agencies and secretariats, including spending on projects, operations and maintenance, and payments to Virginia Information Technologies Agency.</p>				
<p>2. Notwithstanding any other provision of law and effective July 1, 2015, the Virginia Information Technologies Agency (VITA) shall maintain and update quarterly a list of major information technology projects that are active or are expected to become active in the next fiscal year and have been approved and recommended for funding by the Secretary of Administration. Such list shall serve as the official repository for all ongoing information technology projects in the Commonwealth and shall include all information required by § 2.2-1509.3 (B)(1)-(8), Code of Virginia. VITA shall make such list publically available on its website, updated on a quarterly basis, and shall submit electronically such quarterly update to the Chairs of the House Appropriations and Senate Finance and Appropriation Committee and the Director, Department of Planning and Budget, in a format mutually agreeable to them. To ensure such list can be maintained and updated quarterly, state agencies with major information technology projects that are active or are expected to become active in the next fiscal year shall provide in a timely manner all data and other information requested by VITA.</p>				

ITEM 93.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

F.1. Out of the amounts provided in this item, \$4,921,400 the first year from the general fund and \$21,396,396 in nongeneral fund appropriation is for cybersecurity grant awards under State and Local Cybersecurity Improvement Act subtitle of the Infrastructure Investment and Jobs Act of 2021, P.L. 117-58. The Virginia Information Technologies Agency (the agency) shall take the necessary steps to obtain and use the cybersecurity grant funding that is available to Virginia under this program. The general fund appropriation provided herein is intended to serve as the full program match for grant availability under this program. Any balances remaining from the general fund appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to serve as state matching dollars pursuant to securing the federal grant awards.

2. In accordance with the federal grant requirements, the agency shall establish and identify candidates for appointment by the Governor to a planning committee that includes members from (i) state government; counties, cities, and towns; institutions of public education and health within Virginia; and (ii) suburban, rural, and high-population jurisdictions. No less than half of the members shall have substantial professional experience in cybersecurity or information technology. The Chief Information Officer of the Commonwealth, or the Chief Information Security Officer as designee, shall be the Chair of the planning committee. Staffing for the planning committee shall be provided by the agency. In addition, the agency shall: (i) develop a cybersecurity plan, present such plan to the planning committee for approval, and submit such plan to the appropriate federal officials in compliance with the federal program requirements; (ii) propose priorities for grant funding for the planning committee's consideration and approval, in establishing priorities, the committee shall consider the needs of local school divisions; (iii) approve, manage, and allocate grant funding once received, ensuring that the grants fit within the priorities approved by the planning committee; and (iv) report on program's activities to the House Appropriations Committee and the Senate Finance and Appropriations Committee by October 1 of each year of the program. To the extent permitted by federal grant guidelines, the agency may retain a portion of the federal grant funding to reimburse actual costs incurred in providing support and administration of the provisions of this paragraph.

94.	Information Technology Security Oversight (82900).....			\$10,014,518	\$11,407,184
	Technology Security Oversight Services (82901)....	\$6,436,010	\$7,828,676		
	Information Technology Security Service Center (82902).....	\$2,863,990	\$2,863,990		
	Cloud Based Services Oversight (82903).....	\$714,518	\$714,518		
	Fund Sources: General.....	\$291,064	\$291,064		
	Special.....	\$295,414	\$295,414		
	Internal Service.....	\$9,428,040	\$10,820,706		

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A. Out of this appropriation, \$6,238,815 the first year and \$7,631,481 the second year for Technology Security Oversight Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from charges to other programs within this agency.

B.1. The Virginia Information Technologies Agency shall operate an information technology security service center to support the information technology security needs of agencies electing to participate in the information technology security service center. Support for participating agencies shall include, but not be limited to, vulnerability scans, information technology security audits, and Information Security Officer services. Participating agencies shall cooperate with the Virginia Information Technologies Agency by transferring such records and functions as may be required.

2.a. The Virginia Information Technologies Agency shall perform vulnerability scans of all public-facing websites and systems operated by state agencies. All state agencies which operate such websites and systems shall cooperate with the Virginia Information Technologies Agency in order to complete the vulnerability scans. However, the State Corporation Commission shall not be required to disable, in full or in part, any software

ITEM 94.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	system, process, or other tool utilized to protect such public-facing websites and systems. All state agencies shall mitigate or resolve website risks and vulnerabilities identified by the Virginia Information Technologies Agency.			
	b. Out of this appropriation, \$291,064 the first year and \$291,064 the second year from the general fund shall be used to support vulnerability scanning of public-facing websites and systems of the Commonwealth.			
	3. Agencies electing to participate in the information technology security service center shall enter into a memorandum of understanding with the Virginia Information Technologies Agency. Such memorandums shall outline the services to be provided by the Virginia Information Technologies Agency and the costs to provide those services. If a participating agency elects to not renew its memorandum of understanding, the agency shall notify the Virginia Information Technologies Agency twelve months prior to the scheduled renewal date of its intent to become a non-participating agency.			
	4. Non-participating agencies shall be required by July 1 each year to notify the Chief Information Officer of the Commonwealth that the agency has met the requirements of the Commonwealth's information security standards. If the agency has not met the requirements of the Commonwealth's information security standards, the agency shall report to the Chief Information Officer of the Commonwealth the steps and procedures the agency is implementing in order to satisfy the requirements.			
	5. Out of this appropriation, \$2,572,926 the first year and \$2,572,926 the second year for Information Technology Security Service Center is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from internal service fund revenues.			
	6. Notwithstanding any other provision of state law, and to the extent and in the manner permitted by federal law, the Virginia Information Technologies Agency shall have the legal authority to access, use, and view data and other records transferred to or in the custody of the information technology security service center pursuant to this item. The services of the center are intended to enhance data security, and no state law or regulation imposing data security or dissemination restrictions on particular records shall prevent or burden the custodian agency's authority under this item to transfer such records to the center for the purpose of receiving the center's services. All such transfers and any access, use, or viewing of data by center personnel in support of the center's provision of such services to the transferring agency shall be deemed necessary to assist in valid administrative needs of the transferring agency's program that received, used, or created the records transferred, and personnel of the center shall, to the extent necessary, be deemed agents of the transferring agency's administrative unit that is responsible for the program. Without limiting the foregoing, no transfer of records under this item shall trigger any requirement for notice or consent under the Government Data Collection and Dissemination Practices Act (GDCDPA) (§ 2.2-3800 et. Seq.) or other law or regulation of the Commonwealth. The transferring agency shall continue to be deemed the custodian of any record transferred to the center for purposes of the GDCDPA, the Freedom Of Information Act, and other laws or regulations of the Commonwealth pertaining to agencies that administer the transferred records and associated programs. Custody of such records for security purposes shall not make the Virginia Information Technologies Agency a custodian of such records. Any memorandum of understanding under authority of this item shall specify the records to be transferred, security requirements, and permitted use of data provided. VITA and any contractor it uses in the provision of the center's services shall hold such data in confidence and implement and maintain all information security safeguards defined in the memorandum of understanding or required by federal or state laws, regulations, or policies for the protection of sensitive data.			
	7. The rates required to recover the costs of the information technology security service center shall be provided by the Virginia Information Technologies Agency to the Department of Planning and Budget by September 1 each year for review and approval of the subsequent fiscal year's rate.			
	C.1. Out of this appropriation, \$616,299 the first year and \$616,299 the second year for Cloud Based Services Oversight is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from internal service fund revenues for a program to support the use of cloud service providers by state agencies served by the Virginia			

ITEM 94.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Information Technologies Agency.				
<p>2. As part of the program, the Virginia Information Technologies Agency shall develop policies, standards, and procedures for the use of cloud services providers by state agencies served by the Virginia Information Technologies Agency. These policies, standards, and procedures shall address the security and privacy of Commonwealth and citizen data; ensure compliance with federal and state laws and regulations; and provide for ongoing oversight and management of cloud services to verify performance through service level agreements or other means. VITA shall also establish a statewide contract of approved vendors authorized to offer cloud based services to state agencies.</p>				
<p>3. Requests to use cloud providers shall be submitted by participating agencies to the Virginia Information Technologies Agency, which shall review such requests in accordance with the Commonwealth's policies, standards, and procedures. For approved requests, and consistent with Chapter 20.1 of Title 2.2, the Virginia Information Technologies Agency will procure cloud services on behalf of other agencies or may, upon request, authorize other state agencies to undertake such procurements on their own. The Virginia Information Technologies Agency shall also administer and oversee all contracts for cloud services used by agencies participating in the cloud services center, including verification of security and performance.</p>				
<p>4. The Virginia Information Technologies Agency shall work with state agencies to assess opportunities for additional use of cloud services, including infrastructure, platform, and software as a service. This assessment shall include a review of options for use of service brokers and integrators, and options for providing storage and server services through cloud or on-premises means.</p>				
<p>5. The rates required to recover the costs associated with providing oversight and management of cloud based services shall be included in the submission required by § 4-5.03 of this act.</p>				
Total for Virginia Information Technologies Agency.....			<b>\$509,213,558</b>	<b>\$488,207,204</b>
General Fund Positions.....	2.00	2.00		
Nongeneral Fund Positions.....	282.40	317.40		
Position Level.....	284.40	319.40		
Fund Sources: General.....	\$5,212,464	\$291,064		
Special.....	\$11,743,770	\$12,464,770		
Internal Service.....	\$470,860,928	\$475,451,370		
Federal Trust.....	\$21,396,396	\$0		
<b>TOTAL FOR OFFICE OF ADMINISTRATION....</b>			<b>\$4,068,056,357</b>	<b>\$4,059,438,773</b>
General Fund Positions.....	456.90	454.90		
Nongeneral Fund Positions.....	787.50	823.50		
Position Level.....	1,244.40	1,278.40		
Fund Sources: General.....	\$886,289,698	\$892,329,575		
Special.....	\$22,825,132	\$23,546,132		
Enterprise.....	\$631,969,447	\$631,994,109		
Internal Service.....	\$2,351,204,710	\$2,357,197,983		
Trust and Agency.....	\$138,365,306	\$138,365,306		
Dedicated Special Revenue.....	\$8,592,508	\$8,592,508		
Federal Trust.....	\$28,809,556	\$7,413,160		

ITEM 95.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<b>OFFICE OF AGRICULTURE AND FORESTRY</b>				
<b>§ 1-33. SECRETARY OF AGRICULTURE AND FORESTRY (193)</b>				
95.	Administrative and Support Services (79900).....		\$546,828	\$546,828
	General Management and Direction (79901).....	\$546,828	\$546,828	
	Fund Sources: General.....	\$546,828	\$546,828	
	Authority: Title 2.2, Chapter 2, Article 2.1; § 2.2-203.3, Code of Virginia.			
	Total for Secretary of Agriculture and Forestry.....		<b>\$546,828</b>	<b>\$546,828</b>
	General Fund Positions.....	3.00	3.00	
	Position Level.....	3.00	3.00	
	Fund Sources: General.....	\$546,828	\$546,828	
<b>§ 1-34. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)</b>				
96.	Nutritional Services (45700).....		\$6,671,909	\$6,671,909
	Distribution of USDA Donated Food (45708).....	\$6,671,909	\$6,671,909	
	Fund Sources: General.....	\$1,929,910	\$1,929,910	
	Federal Trust.....	\$4,741,999	\$4,741,999	
	Authority: Title 3.2, Chapters 1 and 47, Code of Virginia.			
	Out of the appropriation in this Item, \$1,600,000 the first year and \$1,600,000 the second year from the general fund shall be deposited to the Virginia Agriculture Food Assistance Fund for the award of grants to assist Virginia farmers and food producers with donating, selling, or otherwise providing agriculture products to Virginia's charitable food assistance organizations in accordance with § 3.2-4781, Code of Virginia.			
97.	Animal and Poultry Disease Control (53100).....		\$8,812,040	\$8,812,040
	Animal Disease Prevention and Control (53101).....	\$3,534,532	\$3,534,532	
	Diagnostic Services (53102).....	\$4,824,922	\$4,824,922	
	Animal Welfare (53104).....	\$452,586	\$452,586	
	Fund Sources: General.....	\$5,963,306	\$5,963,306	
	Special.....	\$1,755,689	\$1,755,689	
	Federal Trust.....	\$1,093,045	\$1,093,045	
	Authority: Title 3.2, Chapters 60 and 65, Code of Virginia.			
	Out of the amounts in this Item, \$150,000 the first year and \$150,000 the second year from the general fund is included for the purchase of laboratory equipment through the Commonwealth's Master Equipment Leasing Program.			
98.	Agricultural Industry Marketing, Development, Promotion, and Improvement (53200).....		\$24,854,689	\$23,777,314
	Grading and Certification of Virginia Products (53201).....	\$7,846,952	\$7,846,952	
	Milk Marketing Regulation (53204).....	\$888,753	\$888,753	
	Marketing Research (53205).....	\$313,200	\$313,200	
	Market Virginia Agricultural and Forestry Products Nationally and Internationally (53206).....	\$5,343,927	\$5,343,927	
	Agricultural Commodity Boards (53208).....	\$8,540,393	\$7,463,018	
	Agribusiness Development Services and Farmland Preservation (53209).....	\$1,921,464	\$1,921,464	
	Fund Sources: General.....	\$11,111,463	\$10,034,088	
	Special.....	\$158,125	\$158,125	
	Trust and Agency.....	\$7,285,070	\$7,285,070	



ITEM 98.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Dedicated Special Revenue.....	\$5,579,133	\$5,579,133		
Federal Trust.....	\$720,898	\$720,898		

Authority: Title 3.2, Chapters 1, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 30, 32, 34, 35; Title 28.2, Chapter 2; and Title 61.1, Chapter 4, Code of Virginia.

A. Agricultural Commodity Boards shall be paid from the special fund taxes levied in the following estimated amounts:

1. To the Tobacco Board, \$143,000 the first year and \$143,000 the second year.
2. To the Corn Board, \$390,000 the first year and \$390,000 the second year.
3. To the Egg Board, \$210,000 the first year and \$210,000 the second year.
4. To the Soybean Board, \$1,164,000 the first year and \$1,164,000 the second year.
5. To the Peanut Board, \$320,000 the first year and \$320,000 the second year.
6. To the Cattle Industry Board, \$800,000 the first year and \$800,000 the second year.
7. To the Virginia Small Grains Board, \$400,000 the first year and \$400,000 the second year.
8. To the Virginia Horse Industry Board, \$320,000 the first year and \$320,000 the second year.
9. To the Virginia Sheep Industry Board, \$35,000 the first year and \$35,000 the second year.
10. To the Virginia Potato Board, \$25,000 the first year and \$25,000 the second year.
11. To the Virginia Cotton Board, \$180,000 the first year and \$180,000 the second year.
12. To the State Apple Board, \$150,000 the first year and \$150,000 the second year.

B. Each commodity board is authorized to expend funds in accordance with its authority as stated in the Code of Virginia. Such expenditures will be limited to available revenue levels.

C. Each commodity board specified in this Item shall provide an annual notification to its excise tax paying producers which summarizes the purpose of the board and the excise tax, current tax rate, amount of excise taxes collected in the previous tax year, the previous fiscal year expenditures and the board's past year activities. The manner of notification shall be determined by each board.

D. Out of the amounts in this Item shall be paid from certain special fund license taxes, license fees, and permit fees levied or imposed under Title 28.2, Chapters 2, 3, 4, 5, 6 and 7, Code of Virginia, to the Virginia Marine Products Board, \$402,543 and two positions the first year and \$402,543 and two positions the second year.

E.1. Out of the amounts in this Item, \$2,514,048 the first year and \$2,514,048 the second year from the general fund shall be deposited to the Virginia Wine Promotion Fund as established in § 3.2-3005, Code of Virginia.

2. Out of the amounts provided in this item, \$125,000 the first year from the general fund is provided to support the Wine Board of Virginia for the purpose of developing vinifera-style wine grapes adapted to the Mid-Atlantic region.

F. Out of the amounts in this Item, \$952,375 the first year the general fund and an amount the second year to be provided consistent with the provisions of Chapters 84 and 85 of the Acts of Assembly of 2022 shall be deposited to the Virginia Spirits Promotion Fund established pursuant to § 3.2-3012, Code of Virginia.

G. Out of the amounts in this Item, \$875,000 the first year and \$875,000 the second year from the general fund shall be deposited to the Virginia Farmland Preservation Fund established in § 3.2-201, Code of Virginia. This appropriation shall be deemed sufficient

ITEM 98.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
to meet the provisions of § 2.2-1509.4, Code of Virginia.				
H. Out of the amounts in this Item, \$30,000 the first year and \$30,000 the second year from the general fund is provided to support a pilot partnership between the Department and Virginia State University's (VSU) Small Farm Management Agents to increase diversity of program participants, with an emphasis on small, socially disadvantaged, BIPOC, new and beginning, veteran and women farmers and landowners.				
I. Out of the amounts in this Item, the Commissioner is authorized to expend from the general fund amounts not to exceed \$25,000 the first year and \$25,000 the second year for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.				
J. Out of the amounts in this Item, the Commissioner is authorized to expend \$1,120,226 the first year and \$1,120,226 the second year from the general fund for the promotion of Virginia's agricultural products overseas. Such efforts shall be conducted in concert with the international offices opened by the Virginia Economic Development Partnership.				
K. Out of the amounts in this Item, \$250,000 the first year and \$250,000 the second year from the general fund is provided for the Department's efforts to support the International Trade Plan.				
L. Out of the amounts in this Item, \$25,000 the first year and \$25,000 the second year from the general fund shall be provided to support 4-H and Future Farmers of America youth participation educational costs at the State Fair of Virginia. These funds shall not be used for administrative costs by the State Fair.				

99.	Economic Development Services (53400).....		\$2,838,820	\$1,588,820
	Financial Assistance for Economic Development (53410).....	\$2,838,820		\$1,588,820
	Fund Sources: General.....	\$2,838,820		\$1,588,820

Authority: Title 3.2, Chapter 3.1, Code of Virginia.

A. Out of the amounts in this Item, \$1,500,000 the first year and \$1,250,000 the second year from the general fund shall be deposited to the Governor's Agriculture and Forestry Industries Development Fund for the payment of grants or loans in accordance § 3.2-303 et seq., Code of Virginia. Notwithstanding any other provision of law, at the discretion of the Governor, the cap on the amount of funding that may be awarded to an individual project as provided in § 3.2-305, Code of Virginia, may be waived for qualifying projects of regional or statewide interest.

B. Out of the amounts in this Item, \$330,905 the first year and \$330,905 the second year may be used by the department to pay administrative costs.

C. Out of the amounts in this Item, \$1,000,000 the first year from the general fund is provided for the Dairy Producer Margin Coverage Premium Assistance Program, consistent with § 3.2-3305, Code of Virginia.

100.	Plant Pest and Disease Control (53500).....		\$4,857,158	\$4,832,158
	Plant Pest and Disease Prevention and Control Services (53504).....	\$4,857,158		\$4,832,158
	Fund Sources: General.....	\$2,792,345		\$2,767,345
	Special.....	\$643,009		\$643,009
	Federal Trust.....	\$1,421,804		\$1,421,804

Authority: Title 3.2, Chapters 7, 8, 9, 10, 28, 38, 41.1 and 44; Title 15.2, Chapter 18, Code of Virginia.

A. The Commissioner may enter into agreements with local and state agencies, or other persons, for the control of black vultures, coyotes, and other wildlife that pose danger to agricultural animals. The Commissioner shall enter into an agreement with the federal government to establish and maintain the Virginia Cooperative Wildlife Damage Management Program.

ITEM 100.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>B. Out of the amounts in this Item, \$200,000 the first year and \$200,000 the second year from the general fund shall be deposited to the Beehive Grant Fund established pursuant to § 3.2-4415, Code of Virginia. Notwithstanding the provisions of § 3.2-4416, Code of Virginia, the department shall not accept applications for grants from the Beehive Grant Program if funds are not appropriated for such purposes nor shall the department be required to continue to accept applications for the program if funds appropriated have been fully allocated to grantees for a given fiscal year.</p> <p>C. Notwithstanding the provisions of §§ 3.2-4114.2 and 3.2-4115, Code of Virginia, the Commissioner shall charge an annual nonrefundable fee of \$150 on each application for registration, or renewal of registration, as an industrial hemp grower, an annual nonrefundable fee of \$200 on each application for registration as an industrial hemp processor, and an annual nonrefundable fee of \$250 for registration as an industrial hemp dealer pursuant to Chapter 41 of Title 3.2, Code of Virginia.</p>				
101.	Agriculture and Food Homeland Security (54100)...		\$185,342	\$185,342
	Agricultural and Food Emergencies Prevention and Response (54101).....		\$185,342	\$185,342
	Fund Sources: General.....		\$182,021	\$182,021
	Special.....		\$3,321	\$3,321
	Authority: Title 3.2, Chapters 7, 51, 59, 60, and 65, Code of Virginia.			
102.	Consumer Affairs Services (55000).....		\$1,808,672	\$1,808,672
	Consumer Affairs - Regulation and Consumer Education (55001).....		\$1,808,672	\$1,808,672
	Fund Sources: General.....		\$33,726	\$33,726
	Special.....		\$1,774,946	\$1,774,946
	Authority: Title 3.2, Chapter 1; Title 57, Chapter 5; Title 59.1, Chapters 24, 25, 33.1, 34, 34.1 and 36, Code of Virginia.			
103.	Regulation of Business Practices (55200).....		\$3,881,933	\$3,641,933
	Regulation of Grain Commodity Sales (55207).....		\$112,856	\$112,856
	Regulation of Weights and Measures and Motor Fuels (55212).....		\$3,769,077	\$3,529,077
	Fund Sources: General.....		\$3,664,730	\$3,424,730
	Special.....		\$217,203	\$217,203
	Authority: Title 3.2, Chapters 43, 47, 55.1, 56, 57, and 58; and Title 59.1, Chapter 12, Code of Virginia.			

A. In lieu of periodic inspections by the Commissioner, Department of Agriculture and Consumer Services, any person whose weights and measures devices, as defined in § 3.2-5600, et seq., Code of Virginia, which are used for a commercial purpose may select to provide for the inspection and testing of all such weights and measures to determine the accuracy and correct operation of the equipment or device. The owner shall have all such weights and measures devices tested at least annually by a service agency that is registered pursuant to § 3.2-5703, Code of Virginia. Weights and measures that have been rejected by a service agency shall not be used again commercially until they have been officially reexamined by the rejecting authority or an inspector employed by the Commissioner, and found to be in compliance with Title 3.2, Chapter 56, Code of Virginia. The owner of such weights and measures devices, or third-party agencies on behalf of the owner, shall report to the Commissioner on an annual basis in a manner prescribed by the Commissioner the results of all testing, including (i) the number of inspections completed, (ii) the number of failures in the weights and measures equipment or devices, and (iii) the actions taken to correct any inaccuracies in the equipment or devices.

B. The department shall provide a report by October 15, 2022, to the Governor, Chair of the House Appropriations Committee, and Chair of the Senate Finance and Appropriations to examine funding stability and alternatives for the commodity grain grading program. Alternatives shall include general and nongeneral fund resources. In developing the report,

ITEM 103.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
the agency shall consider ongoing support for licensed grading positions and fee revenue instability during periods of decreased service demands due to uncertainty in the global marketplace.				
104.	Food Safety and Security (55400).....		\$13,127,094	\$13,127,094
	Regulation of Food Establishments and Processors (55401).....			
	\$6,791,242	\$6,791,242		
	Regulation of Meat Products (55402).....			
	\$4,917,661	\$4,917,661		
	Regulation of Milk and Dairy Industry (55403).....			
	\$1,418,191	\$1,418,191		
	Fund Sources: General.....			
	\$7,840,596	\$7,840,596		
	Special.....			
	\$669,289	\$669,289		
	Federal Trust.....			
	\$4,617,209	\$4,617,209		
Authority: Title 3.2, Chapters 51, 51.1, 52, 53, 54, 55, and 60, Code of Virginia.				
A. Each establishment under the authority of the Regulation of Meat Products that is requesting overtime or holiday inspection shall pay that part of the actual cost of the inspection services.				
B. The Commissioner, Department of Agriculture and Consumer Services, is authorized to collect an annual inspection fee, not to exceed \$40, from all establishments that are subject to inspection pursuant to Title 3.2, Chapter 51, Code of Virginia. However, any such establishment that is subject to any permit fee, application fee, inspection fee, risk assessment fee, or similar fee imposed by any locality shall be subject to this annual inspection fee only to the extent that the annual inspection fee and the locally-imposed fee, when combined, do not exceed \$40. This fee structure shall be subject to the approval of the Secretary of Agriculture and Forestry. Any food bank, second harvest certified food bank, food bank member charity, or other food related activity which is exempt from taxation under 26 U.S.C. § 501 (c) (3), which maintains a food handling or storage facility, or any food-related program operated by any Community Services Board, as defined in Title 37.2, Chapter 5, Code of Virginia, shall be exempt from this inspection fee. Also, a producer of fruits and herbs that are dried, without the addition of any other ingredients, and sold only at a local farmers' market shall be exempt from the fee.				
C. Out of the amounts in this item, \$700,000 in the first year and \$700,000 in the second year from the general fund and 7 positions are provided for investigation, and enforcement activities related to hemp product violations at food product establishments regulated by the department.				
D. Out of the amounts in this item, \$150,000 the first year and \$150,000 the second year from the general fund, \$150,000 the first year and \$150,000 the second year in federal funds, and three positions are provided for meat and poultry inspection activities.				
105.	Regulation of Products (55700).....		\$6,635,248	\$6,630,248
	Pesticide Regulation and Applicator Certification (55704).....			
	\$4,182,657	\$4,177,657		
	Regulation of Feed, Seed, and Fertilizer Products (55706).....			
	\$2,452,591	\$2,452,591		
	Fund Sources: General.....			
	\$776,440	\$776,440		
	Dedicated Special Revenue.....			
	\$5,158,035	\$5,153,035		
	Federal Trust.....			
	\$700,773	\$700,773		
Authority: Title 3.2, Chapters 1, 36, 37, 39, 40, 43, 47, 48, and 49; Title 18.2, Chapter 6; and Title 59.1, Chapter 12, Code of Virginia.				
The Office of Pesticide Services shall publish a report on the activities, educational programs, research, and grants administered through the Pesticide Control Act Fund to the Board of Agriculture and Consumer Services by October 15 of each year.				
106.	Regulation of Charitable Gaming Organizations (55900).....		\$2,128,268	\$2,128,268
	Charitable Gaming Regulation and Enforcement (55907).....			
	\$2,128,268	\$2,128,268		

ITEM 106.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$2,023,409	\$2,023,409		
Dedicated Special Revenue.....	\$104,859	\$104,859		

Authority: Title 2.2, Chapter 24; Title 18.2, Chapter 8; and Title 59.1, Chapter 51, Code of Virginia.

A. Notwithstanding § 18.2-340.31, Code of Virginia, any and all fees paid by any organization conducting charitable gaming under a permit issued by the department, including audit and administrative fees and permit fees, shall be deposited to the general fund.

B. The department shall deposit into the Investigation Fund any assets it receives as a result of a law enforcement seizure and subsequent forfeiture by either a state or federal court. The fund shall be used to defray the expenses of investigation and enforcement actions and to purchase equipment for enforcement purposes.

C. Included in these amounts is \$100,000 the first year and \$100,000 the second year in nongeneral funds from annual registration fees paid by operators of fantasy contests to support both direct and indirect expenses of the department in the regulation of fantasy contests in Virginia.

107.	Administrative and Support Services (59900).....			\$12,694,756	\$12,694,756
	General Management and Direction (59901).....	\$12,694,756	\$12,694,756		
	Fund Sources: General.....	\$10,092,234	\$10,092,234		
	Special.....	\$2,296,566	\$2,296,566		
	Trust and Agency.....	\$168,794	\$168,794		
	Federal Trust.....	\$137,162	\$137,162		

Authority: Title 3.2, Chapters 1, 4, 5, 6 and 29; Title 10.1, Chapter 5, Code of Virginia.

	Total for Department of Agriculture and Consumer Services.....			<b>\$88,495,929</b>	<b>\$85,898,554</b>
	General Fund Positions.....	359.49	359.49		
	Nongeneral Fund Positions.....	222.51	222.51		
	Position Level.....	582.00	582.00		
	Fund Sources: General.....	\$49,249,000	\$46,656,625		
	Special.....	\$7,518,148	\$7,518,148		
	Trust and Agency.....	\$7,453,864	\$7,453,864		
	Dedicated Special Revenue.....	\$10,842,027	\$10,837,027		
	Federal Trust.....	\$13,432,890	\$13,432,890		

**§ 1-35. DEPARTMENT OF FORESTRY (411)**

108.	Forest Management (50100).....			\$44,618,537	\$39,041,707
	Reforestation Incentives to Private Forest Land Owners (50102).....	\$4,345,039	\$4,345,039		
	Forest Conservation, Wildfire & Watershed Services (50103).....	\$29,810,876	\$28,169,476		
	Tree Restoration and Improvement, Nurseries & State-Owned Forest Lands (50104).....	\$8,562,622	\$5,627,192		
	Financial Assistance for Forest Land Management (50105).....	\$1,900,000	\$900,000		
	Fund Sources: General.....	\$28,624,159	\$23,047,329		
	Special.....	\$11,507,463	\$11,507,463		
	Trust and Agency.....	\$21,000	\$21,000		
	Dedicated Special Revenue.....	\$175,762	\$175,762		
	Federal Trust.....	\$4,290,153	\$4,290,153		

Authority: Title 10.1, Chapter 11, and Title 58.1, Chapter 32, Article 4, Code of Virginia.

ITEM 108.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
A.	The State Forester is hereby authorized to utilize any unobligated balances in the fire suppression fund authorized by § 10.1-1124, Code of Virginia, for the purpose of acquiring replacement equipment for forestry management and protection operations.			
B.	In the event that budgeted amounts for forest fire suppression are insufficient to meet forest fire suppression demands, such amounts as may be necessary for this purpose may be transferred from Item 485 of this act to the Department of Forestry, with the approval of the Director, Department of Planning and Budget.			
C.	The department shall provide technical assistance and project supervision in the aerial spraying of herbicides on timberland on landowner property. In addition to recovering the direct cost associated with the spraying contract, the department may charge an administrative fee for this service.			
D.	The Department of Forestry, in cooperation with the Department of Corrections, shall continue the use of inmate labor for routine and special work projects in state forests.			
E.	The appropriation in Reforestation Incentives to Private Forest Land Owners includes \$1,945,239 the first year and \$1,945,239 the second year from the general fund for the Reforestation of Timberlands Program. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia.			
F.	Out of this appropriation, \$2,126,126 the first year and \$2,126,126 the second year from the general fund is included for the purchase of forest fire protection equipment through the state's master equipment lease purchase program.			
G.	The department is authorized to enter into agreements with private entities for the active operational life of the tower located at 900 Natural Resources Drive in Albemarle County, Virginia. Notwithstanding any other provision of law, any revenues received from such agreements shall be retained by the department and used for forest land management.			
H.1.	The State Comptroller shall continue the Virginia State Forest Mitigation and Acquisition Fund and the Long Term Mitigation Fund as established in Item 102, Chapter 806, 2013 Acts of Assembly. All moneys in these funds shall be used as provided for in this Item and in Item 102, Chapter 806, 2013 Acts of Assembly, and Item 98, Chapter 665, 2015 Acts of Assembly.			
2.a.	With the exception of the amounts prescribed in paragraph H.2.b. of this item, the Virginia State Forest Mitigation and Acquisition Fund shall be used solely for forest land or conservation easement acquisition.			
b.	The Long Term Mitigation Fund shall be used solely for long term management of the Cumberland State Forest Stream Buffer Preservation Stewardship Plan.			
3.	For any such future mitigation projects, no state forest land shall be used to provide compensatory mitigation for wetland or stream impacts of any public or private project until such time as due consideration has been given to the availability of mitigation credits available from private sources. State forest land means all sites, roadways, game food patches, ponds, lakes, streams, rivers, beaches, and lakes to which the Department of Forestry holds title for use, development, and administration.			
I.	The department is authorized to sell properties and timber located at the following: 16520 Five Forks Road, Amelia, Virginia, 23002; 26401 Blue Star Highway, Emporia, Virginia, 23847; 11260 Jessie Dupont Memorial Highway, Kilmarnock, Virginia, 22482; 152 Maury River Road, Lexington, Virginia, 24450; and 2080 Sowers Road NE, Floyd, Virginia, 24091. Notwithstanding any other provision of law, the net proceeds of these transactions shall be deposited into the general fund.			
J.	Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund is provided for the Virginia Natural Resources Leadership Institute.			
K.	Out of this appropriation, \$450,000 the first year and \$450,000 the second year from the general fund is provided to increase bandwidth capacity at the agency's offices.			
L.	Out of the amounts in this item, \$487,842 the first year and \$487,482 the second year from the general fund is provided for a Hardwood Forest Habitat initiative.			

ITEM 108.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
M. Out of the amounts of this item, \$1,000,000 the first year from the general fund shall be provided for the Forest Sustainability Fund established pursuant to § 58.1-3242.1, Code of Virginia.				
N. The Department of Forestry, with assistance from the Department of Environmental Quality and the Virginia Economic Development Partnership, shall prepare an assessment of the environmental benefits of Virginia's forests and its forest economy. This assessment shall include, but not be limited to, (i) the air quality benefits, including the sequestration of greenhouse gases, provided by Virginia's forests and timberlands; (ii) the economic activities that promote the growth and health of Virginia's forests and timberlands, including the use of active forest management and the production and use of products derived from forest resources; and, (iii) other such environmentally beneficial aspects of Virginia's forests, timberlands, and forest economy as the Department may identify. The Department shall present its findings to the Chairs of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation, and Natural Resources no later than December 1, 2022.				
Total for Department of Forestry.....			<b>\$44,618,537</b>	<b>\$39,041,707</b>
General Fund Positions.....			165.59	165.59
Nongeneral Fund Positions.....			113.41	113.41
Position Level.....			279.00	279.00
Fund Sources: General.....			\$28,624,159	\$23,047,329
Special.....			\$11,507,463	\$11,507,463
Trust and Agency.....			\$21,000	\$21,000
Dedicated Special Revenue.....			\$175,762	\$175,762
Federal Trust.....			\$4,290,153	\$4,290,153

**§ 1-36. AGRICULTURAL COUNCIL (307)**

109.	Agricultural and Seafood Product Promotion and Development Services (53000).....			\$490,509	\$490,509
	Grants for Agriculture, Research, Education and Services (53001).....	\$490,509	\$490,509		
	Fund Sources: Dedicated Special Revenue.....	\$490,509	\$490,509		
Authority: Title 3.2, Chapter 29, Code of Virginia.					
Total for Agricultural Council.....				<b>\$490,509</b>	<b>\$490,509</b>
	Fund Sources: Dedicated Special Revenue.....	\$490,509	\$490,509		

**§ 1-37. VIRGINIA RACING COMMISSION (405)**

110.	Economic Development Services (53400).....			\$1,500,000	\$1,500,000
	Financial Assistance to the Horse Breeding Industry (53411).....	\$1,500,000	\$1,500,000		
	Fund Sources: Special.....	\$1,500,000	\$1,500,000		
Authority: Title 59.1, Chapter 29, Code of Virginia.					
111.	Regulation of Horse Racing and Pari-Mutuel Betting (55800).....			\$4,573,891	\$4,573,891
	License and Regulate Horse Racing and Pari-mutuel Wagering (55801).....	\$4,573,891	\$4,573,891		
	Fund Sources: Special.....	\$4,573,891	\$4,573,891		
Authority: Title 59.1, Chapter 29, Code of Virginia.					

A. Out of this appropriation, the members of the Virginia Racing Commission shall receive compensation and reimbursement for their reasonable expenses in the performance

ITEM 111.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
of their duties, as provided in § 2.2-2104, Code of Virginia.				
B. Notwithstanding the provisions of § 59.1-392, Code of Virginia, up to \$255,000 the first year and \$255,000 the second year shall be transferred to Virginia Polytechnic Institute and State University to support the Virginia-Maryland Regional College of Veterinary Medicine.				
C. Any revenues received during the biennium and which are due to the commission pursuant to § 59.1-364 et seq., Code of Virginia, shall be used first to fund the operating expenses of the commission as appropriated in this Item. A year-end fund balance of \$900,000 shall be maintained for payment of authorized commission obligations for operating expenses as appropriated under the provisions of this act and amounts payable to specific entities pursuant to § 59.1-392 and appropriated in paragraphs B and D of this Item prior to the reversion of nongeneral fund balances. Any fund balances in this Item at the end of fiscal years 2023 and 2024 in excess of \$900,000 shall revert to the general fund.				
D. Out of these amounts, the obligations set out in § 59.1-392 D. 5., D.6., G.5., G.6., K.3., K.4., K.5., N.3., N.4., and N.5., Code of Virginia, shall be fully funded.				
E. In the event revenues exceed the appropriated amounts in this Item, the Virginia Racing Commission is authorized to seek an administrative appropriation, up to \$700,000, from the Director, Department of Planning and Budget, to develop programs or award grants for the promotion and marketing, sustenance and growth of the Virginia horse industry, including horse breeding.				
F.1. The Virginia Racing Commission shall report monthly to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the gross gaming revenues generated from traditional horse racing wagering and from historical horse racing (HHR) wagering from any significant infrastructure limited licensee facility and each satellite facility licensee authorized for operation in the Commonwealth. This monthly reporting shall include the actual dollar amount of the (i) total prize payout; (ii) total contributions to purses for thoroughbred and harness racing; (iii) amount of state and local taxes collected and remitted by jurisdiction; (iv) amount retained by the Virginia Racing Commission; and (v) amount retained by any licensee or operator.				
2. Included within the monthly report required in F.1., from the amounts included in clause (v) of F.1., the Commission shall specifically identify the actual dollar amounts allocated pursuant to a Revenue Sharing Agreement dated April 13, 2018, or any amendments thereto, or for an Amended Memorandum of Understanding dated December 4, 2017, or any amendments thereto, for (i) contributions to the Virginia Equine Alliance and other parties collectively referred to in the Revenue Sharing Agreement as the Horsemen; (ii) all HHR gross commission; (iii) any amounts or rebates from Advanced Deposit Wagering to service providers; (iv) deposits to the Virginia Breeders Fund; (v) deposits to the Virginia-Certified Residency Program; and (vi) any allocation of funds for problem gaming.				
3. In addition to the reporting requirements in F.1. and F.2., the Commission shall report quarterly to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the actual number of days of live racing conducted across the Commonwealth for the preceding quarter, including all reporting requirements identified in F.1 and F.2 resulting from each day of live racing pursuant to 11 VAC 10-47-190.				
G. Notwithstanding any other provision of law, the percentage of the pool to be retained by the licensee for distribution as provided in subsection U of § 59.1-392 and subsection 9 of 11VAC10-47-180 shall be distributed as follows: (1) the amount to be distributed to any locality shall remain as provided in subdivision 2 of subsection U of § 59.1-392 and subdivision (b) of subsection 9 of 11 VAC 10-47-180; (2) the Virginia Breeders Fund, the Virginia-Maryland Regional College of Veterinary Medicine for equine programs, the Virginia Horse Center Foundation and the Virginia Horse Industry Board shall each receive twenty-five one-thousandths percent; and (3) the Commonwealth shall receive the remainder as a license tax.				
Total for Virginia Racing Commission.....			\$6,073,891	\$6,073,891
Nongeneral Fund Positions.....	10.00	10.00		
Position Level.....	10.00	10.00		



ITEM 111.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: Special.....	\$6,073,891	\$6,073,891		
<b>TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY.....</b>			<b>\$140,225,694</b>	<b>\$132,051,489</b>
General Fund Positions.....	528.08	528.08		
Nongeneral Fund Positions.....	345.92	345.92		
Position Level.....	874.00	874.00		
Fund Sources: General.....	\$78,419,987	\$70,250,782		
Special.....	\$25,099,502	\$25,099,502		
Trust and Agency.....	\$7,474,864	\$7,474,864		
Dedicated Special Revenue.....	\$11,508,298	\$11,503,298		
Federal Trust.....	\$17,723,043	\$17,723,043		

ITEM 112.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**OFFICE OF COMMERCE AND TRADE**

**§ 1-38. SECRETARY OF COMMERCE AND TRADE (192)**

112.	Administrative and Support Services (79900).....			\$1,156,756	\$1,156,756
	General Management and Direction (79901).....	\$1,156,756	\$1,156,756		
	Fund Sources: General.....	\$1,156,756	\$1,156,756		

Authority: Title 2.2, Chapter 2, Article 3; § 2.2-201, Code of Virginia.

It is the intent of the General Assembly that state programs providing financial, technical, or training assistance to local governments for economic development projects or directly to businesses seeking to relocate or expand operations in Virginia should not be used to help a company relocate or expand its operations in one or more Virginia communities when the same company is simultaneously closing facilities in other Virginia communities. It is the responsibility of the Secretary of Commerce and Trade to enforce this policy and to inform the Chairs of the Senate Finance and Appropriations and House Appropriations Committees in writing of the justification to override this policy for any exception.

	Total for Secretary of Commerce and Trade.....			<b>\$1,156,756</b>	<b>\$1,156,756</b>
	General Fund Positions.....	9.00	9.00		
	Position Level.....	9.00	9.00		
	Fund Sources: General.....	\$1,156,756	\$1,156,756		

**Economic Development Incentive Payments (312)**

113.	Economic Development Services (53400).....			\$155,583,083	\$152,697,290
	Financial Assistance for Economic Development (53410).....	\$155,583,083	\$152,697,290		
	Fund Sources: General.....	\$155,433,083	\$152,547,290		
	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 and Appropriations 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

ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
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.				
B.1. Out of the appropriation for this Item, \$2,910,000 the first year and \$2,786,350 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 \$5,000,000 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.1. Out of the appropriation for this Item, \$1,200,000 the first year and \$1,200,000 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.				
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.				
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.				
G. Out of the appropriation in this Item, \$8,000,000 the first year and \$8,000,000 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.				
H. Out of the appropriation in this Item, \$300,000 the first year and \$1,742,857 the second year from the general fund shall be deposited to the Truck Manufacturing Grant Fund for grants to be paid in accordance with § 59.1-284.33, Code of Virginia.				

ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
I.1. Out of the appropriation in this Item, \$2,993,750 the first year and \$2,993,750 the second year from the general fund shall be deposited to the Pharmaceutical Manufacturing Grant Fund for grants to be paid in accordance with § 59.1-284.36, Code of Virginia.				
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 § 59.1-284.35 and 59.1-284.36, Code of Virginia.				
3. Of the amounts deposited to the fund, \$493,750 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 § 59.1-284.37, Code of Virginia.				
J. Out of the appropriation in this Item, \$1,300,000 the first year and \$1,300,000 the second year from the general fund shall be deposited to the Advanced Production Grant Fund for grants to be paid in accordance with § 59.1-284.34, Code of Virginia.				
K.1. Out of the amounts in this Item, \$825,000 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.				
L. Out of the appropriation in this Item, \$5,625,000 the first year and \$5,625,000 the second year from the general fund shall be deposited to the Technology Development Grant Fund for grants to be paid in accordance with § 59.1-284.38, Code of Virginia.				
M. Out of the appropriation in this Item, \$1,359,500 the first year and \$1,154,500 the second year from the general fund shall be deposited to the Shipping and Logistics Headquarters Grant Fund for grants to be paid in accordance with § 59.1-284.39, Code of Virginia.				
N. Notwithstanding any provisions of § 30-310, Code of Virginia, the MEI Commission shall only be required to review economic development incentive packages in which a business relocates or expands its operations in one or more Virginia localities and simultaneously closes its operations or substantially reduces the number of its employees in another Virginia locality that exceed \$250,000 in aggregate incentive investments.				
O. Out of the appropriation in this Item, \$42,500,000 the first year and \$42,500,000 the second year from the general fund shall be deposited to the Major Headquarters Workforce Grant Fund for grants to be paid in accordance with § 59.1-284.31, Code of Virginia.				
P.1. Out of the appropriation in this item, \$54,500,000 the first year, and \$54,500,000 the second year from the general fund shall be provided for the Virginia Business Ready Sites Program Fund, and shall be used in accordance with the provisions of Chapter 83 of the 2022 Acts of Assembly. As a condition of the grants awarded from these funds, the Virginia Economic Development Partnership Authority shall require grant recipients to provide matching funds.				
2. It is the intent of the General Assembly that the Virginia Economic Development Partnership Authority consider investing these funds in economic development sites over 1,000 acres ("mega-sites"), and smaller sites of at least 50 acres concentrated in GO Virginia Regions 1 and 2.				
3. Notwithstanding the provisions of Chapter 83 of the 2022 Acts of Assembly, the Virginia Economic Development Partnership Authority may reimburse localities, without a local match requirement, for fees associated with rezoning land for the purpose of building a portfolio of strategic economic development sites in Virginia from the funds provided in this				

ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

paragraph.

4. The Virginia Economic Development Partnership Authority may use up to \$19,000,000 of the funds provided in this paragraph for an economic development project approved by the MEI Project Approval Commission on May 17, 2022.

Q. Included in the amounts in this item, \$5,000,000 the first year from the general fund is provided to the Frederick County Economic Development Authority for regional economic development initiatives and construction or improvements to facilities that support the growth of small aerospace, avionics, and unmanned systems companies in Planning District 7. Prior to the release of any funds to the Authority, documentation shall be provided, to the satisfaction of the Secretary of Commerce and Trade and the Secretary of Finance, that matching funding, exclusive of in-kind contributions or currently pledged amounts, from local or other non-state sources are available to be pledged to the project. Funding shall be released only upon the written approval of the Governor and any funding not awarded by June 30, 2023 shall revert to the general fund.

R. The State Comptroller shall continue the Property Analytics Firm Infrastructure Fund as established in Item 112, Paragraph S. of House Bill 29, 2022 General Assembly, Special Session I. All moneys in this Fund shall be used as provided for in Item 112, Paragraph S. of House Bill 29, 2022 General Assembly, Special Session I.

Total for Economic Development Incentive Payments.....			<b>\$155,583,083</b>	<b>\$152,697,290</b>
Fund Sources: General.....	\$155,433,083	\$152,547,290		
Dedicated Special Revenue.....	\$150,000	\$150,000		
Grand Total for Secretary of Commerce and Trade.			<b>\$156,739,839</b>	<b>\$153,854,046</b>
General Fund Positions.....	9.00	9.00		
Position Level.....	9.00	9.00		
Fund Sources: General.....	\$156,589,839	\$153,704,046		
Dedicated Special Revenue.....	\$150,000	\$150,000		

**§ 1-39. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)**

114.	Housing Assistance Services (45800).....			\$297,060,495	\$297,060,495
	Housing Assistance (45801).....	\$229,507,172	\$229,507,172		
	Homeless Assistance (45804).....	\$17,041,905	\$17,041,905		
	Financial Assistance for Housing Services (45805).	\$50,511,418	\$50,511,418		
	Fund Sources: General.....	\$94,598,482	\$94,598,482		
	Special.....	\$95,349,976	\$95,349,976		
	Dedicated Special Revenue.....	\$100,000	\$100,000		
	Federal Trust.....	\$107,012,037	\$107,012,037		

Authority: Title 36, Chapters 8, 9, and 11; and Title 58.1, Chapter 3, Articles 4 and 13, Code of Virginia.

A. Out of the amounts in this Item, \$3,482,705 from the general fund, \$100,000 from dedicated special revenue, and \$3,427,000 from federal trust funds the first year and \$3,482,705 from the general fund, \$100,000 from dedicated special revenue, and \$3,427,000 from federal trust funds the second year shall be provided to support services for persons at risk of or experiencing homelessness and housing for populations with special needs, and \$4,050,000 the first year and \$4,050,000 the second year from the general fund shall be provided for homeless prevention. Of the general fund amount provided, the department is authorized to use up to two percent in each year for program administration. The amounts allocated for services for persons at risk of or experiencing homelessness may be matched through local or private sources. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2023, and June 30, 2024, shall not revert to the general fund but shall be carried forward and reappropriated.

B. The department shall report to the Chairs of the Senate Finance and Appropriations, the

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	<p>House Appropriations Committees, and the Director, Department of Planning and Budget, by November 4 of each year on the state's homeless programs, including, but not limited to, the number of (i) emergency shelter beds, (ii) transitional housing units, (iii) single room occupancy dwellings, (iv) homeless intervention programs, (v) homeless prevention programs, and (vi) the number of homeless individuals supported by the permanent housing state funding on a locality and statewide basis and the accomplishments achieved by the additional state funding provided to the program. The report shall also include the number of Virginians served by these programs, the costs of the programs, and the financial and in-kind support provided by localities and nonprofit groups in these programs. In preparing the report, the department shall consult with localities and community-based groups.</p>			
	<p>C. Out of the amounts in this Item, \$1,100,000 the first year and \$1,100,000 the second year from the general fund shall be provided for rapid re-housing efforts. In keeping with the specific goals of the Balance of State Continuum of Care, \$200,000 of this amount in each year shall be focused on ensuring that no veteran is homeless or in a shelter for more than 30 days. These funds shall be used to supplement other state and federal programs, shall be directed to areas throughout the state where federal funds are not available, and shall be used to serve those veterans ineligible for federal benefits.</p>			
	<p>D. The department shall continue to collaborate with the Department of Veteran Services to ensure coordinated efforts towards reducing homelessness among veterans.</p>			
	<p>E.1. Out of the amounts in this Item, \$75,000,000 the first year and \$75,000,000 the second year from the general fund shall be deposited to the Virginia Housing Trust Fund, established pursuant to § 36-142 et seq., Code of Virginia. Notwithstanding § 36-142, Code of Virginia, when awarding grants through eligible organizations for targeted efforts to reduce homelessness, priority consideration shall be given to efforts to reduce the number of homeless youth and families and to expand permanent supportive housing.</p>			
	<p>2. As part of the plan required by § 36-142 E., Code of Virginia, the department shall also report on the impact of the loans and grants awarded through the fund, including but not limited to: (i) the number of affordable rental housing units repaired or newly constructed, (ii) the number of individuals receiving down payments and/or closing assistance, (iii) the progress and accomplishments in reducing homelessness achieved by the additional support provided through the fund, and (iv) the progress in expanding permanent supportive housing options.</p>			
	<p>3. As a part of its plan for 2022 required by § 36-150, Code of Virginia, the department shall include an assessment on the feasibility of using Virginia Housing Trust Fund resources to acquire, stabilize and improve manufactured home parks as a source of affordable housing for Virginians.</p>			
	<p>4. In any year where claims for the Virginia Housing Opportunity Tax credit exceed revenue loss assumptions in "The Economic Outlook and Revenue Forecast" report (GACRE Report) prepared by the Secretary of Finance and submitted to the General Assembly annually in December (net lost revenues), the Governor is authorized to direct the State Comptroller to transfer an amount equal to these net lost revenues from the Virginia Housing Trust Fund to the general fund.</p>			
	<p>F. Out of the amounts in this Item, \$15,800,000 the first year and \$15,800,000 the second year from federal trust funds shall be provided to support Virginia affordable housing programs and the Indoor Plumbing Program.</p>			
	<p>G. Out of the amounts in this Item, \$50,000 the first year and \$50,000 the second year from the general fund and one position shall be provided to support the administrative costs associated with administering the tax credits authorized pursuant to § 58.1-439.12:04, Code of Virginia.</p>			
	<p>H. The department shall develop and implement strategies, that may include potential Medicaid financing, for housing individuals with serious mental illness. The department shall include other agencies in the development of such strategies including the Virginia Housing Development Authority, Department of Behavioral Health and Developmental Services, Department of Aging and Rehabilitative Services, Department of Medical Assistance Services, and Department of Social Services. The department shall also include stakeholders</p>			

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

whose constituents have an interest in expanding supportive housing for people with serious mental illness, including the National Alliance on Mental Illness Virginia, the Virginia Housing Alliance and the Virginia Sheriff's Association. An annual report on such strategies and the progress on implementation shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by the first day of each General Assembly Regular Session.

I. The Department of Housing and Community Development shall work with the Virginia Housing Commission to identify the impact of legislation that passed the 2019 session of the General Assembly that is designed to mitigate eviction rates and recommend if any further action is necessary to complement these efforts. The Department shall consider current federal, state and local resources, including but not limited to the following: (a) current counseling and social services provided by state agencies and authorities; (b) the potential needs of the cities of Richmond, Newport News, Hampton, Norfolk, and Chesapeake, as well as eviction prevention and diversion programs established in the cities of Arlington and Richmond; (c) data collected pursuant to Chapter 356, 2019 Acts of Assembly; and, (d) eviction prevention and diversion programs in other states. The Department shall analyze and recommend how to better coordinate current public and private resources and programs to reduce eviction rates in Virginia, as well as how current prevention efforts can coordinate with existing and newly created eviction diversion laws and programs.

J.1. Out of the amounts appropriated in this Item, \$3,300,000 the first year and \$3,300,000 the second year from the general fund shall be used to establish a competitive Eviction Prevention and Diversion Pilot Program that will support local or regional eviction prevention and diversion programs that utilize a systems approach with linkages to local departments of social services and legal aid resources. This program shall prioritize grant applications that provide a local match at an amount deemed appropriate by the Department.

2. The resources provided in J.1. may be used to facilitate the development of a statement of tenant rights and responsibilities and implement the provisions of § 36-139 and § 55.1-1204, Code of Virginia.

K.1. The authorization provided under Item 113, Paragraph L. of House Bill 29 of the 2022 General Assembly, Special Session I that directs the department to use up to \$11,400,000 of unobligated balances in the Low-Income Energy Efficiency Program Fund (02017) for flood relief is hereby continued. Using these funds, the department shall continue to establish and administer a program for the purposes of providing relief to residents of Virginia that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after August 1, 2021, but before September 31, 2021, and subject to a Major Disaster Declaration (FEMA-4628-DR) issued by President Biden on October 26, 2021.

2. The department shall establish procedures for filing and resolving claims, which shall include measures to prevent fraud, and which may include any criteria the department determines reasonable to carry out the provisions of this paragraph. The amount of relief provided to an eligible applicant shall be equal to 175 percent of the property value for the realty that sustained major damage or represents a total loss, as defined by 7. and 8. below. The department shall award funds for estimated repairs up to the maximums contained in this paragraph for a realty that does not meet the definition of total loss or major damage, as defined by 7. and 8. below. Any payment made to an eligible applicant from this paragraph shall not exceed \$500,000 for a residential realty and \$1,000,000 for a commercial realty. If an eligible applicant owns multiple, noncontiguous properties in an area affected by the disaster in paragraph K.1. of this item, the eligible applicant may file separate claims for each parcel, and the maximums described in this paragraph shall apply to each separate claim. The department shall reduce payments by any federal or state relief or insurance payments received by the eligible applicant for property repairs or damage related to the disaster described in paragraph K.1. of this item.

3. Payments under paragraph K. of this item shall be subject to the availability of funds. If claims exceed available funds, the department shall make payments in the order that claims were received.

ITEM 114.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
4. The Department shall not provide relief under this section for a realty that was abandoned or uninhabited at the time of the disaster described in paragraph K.1 of this item.				
5. No recourse may be had by any person, organization, or entity against a recipient of payment under this paragraph, absent any evidence of misuse of funds. Misuse of funds shall be established by a showing that a recipient knowingly misapplied the proceeds of a payment received under this paragraph. If a showing of misuse of funds has been made, then a person may seek recourse against the recipient for an amount no greater than the extent of the payment.				
6. Relief awarded pursuant to this paragraph is excluded from gross income and is not subject to taxation.				
7. "Total loss" means real property that has been destroyed, such that there is a total loss of the structure, the structure is not economically feasible to repair, or there is a complete failure to major structural components, such as the collapse of the basement, wall, or roof.				
8. "Major damage" means real property that has substantial failure to its structural elements, such as walls, floor, or foundation, or that has sustained damage that will take more than 30 days to repair.				
9."Eligible applicant" means any individual property owner or business owner that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after August 1, 2021, but before September 31, 2021, and subject to a Major Disaster Declaration (FEMA-4628-DR) issued by President Biden on October 26, 2021.				
L. The department shall develop a model lot lease for use in manufactured home parks by residents renting lots from the park owner on which to place their homes. In creating this model lease, the department shall convene a stakeholder group including, but not limited to: manufactured home park nonprofit and for profit owners, manufactured home park residents, legal aid attorneys representing residents of manufactured home parks, and associations representing the interests of manufactured home park owners. The final model lease shall be made available on the department's website in at least two languages, English and Spanish.				
M. Out of this appropriation, \$564,000 the first year and \$564,000 the second year from the general fund is provided for the department to effectuate the provisions of House Bill 349 of the 2022 General Assembly in collaboration with the Department of Social Services.				
N. The Department of Housing and Community Development shall convene a stakeholder workgroup to develop model guidelines for the creation of a program to provide long-term rental assistance to low-income, very low-income, and extremely low-income renters to enable them to afford housing costing 30 percent of their income. In developing guidelines for the program, the department shall ensure, at a minimum, that the program pays the difference between full rent and 30 percent of household income. The stakeholder workgroup shall consist of housing developers, homeless services providers, housing providers, landlords, tenants, tenant advocates, and others to develop recommendations for the program. The stakeholder group shall complete its work and issue a report with recommendations to the House Appropriations and Senate Finance and Appropriations Committees no later than November 30, 2022.				
115. Community Development Services (53300).....			\$176,626,786	\$149,660,442
Community Development and Revitalization (53301)				
Financial Assistance for Regional Cooperation (53303).....	\$74,125,874	\$73,895,874		
Financial Assistance for Community Development (53305).....	\$35,408,251	\$35,388,251		
Fund Sources: General.....	\$67,092,661	\$40,376,317		
Special.....	\$147,096,483	\$120,130,139		
Trust and Agency.....	\$5,221,893	\$5,221,893		
Federal Trust.....	\$150,000	\$150,000		
	\$24,158,410	\$24,158,410		

Authority: Title 15.2, Chapter 13, Article 3 and Chapter 42; Title 36, Chapters 8, 10 and 11; and Title 59.1, Chapter 22, Code of Virginia.



ITEM 115.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>A. Out of the amounts in this Item, \$351,930 the first year and \$351,930 the second year from the general fund is provided for annual membership dues to the Appalachian Regional Commission.</p>				
<p>B. The department and local program administrators shall make every reasonable effort to provide participants basic financial counseling to enhance their ability to benefit from the Indoor Plumbing Program and to foster their movement to economic self-sufficiency.</p>				
<p>C. Out of the amounts in this Item shall be paid from the general fund in four equal quarterly installments each year:</p>				
<p>1. To the Lenowisco Planning District Commission, \$89,971 the first year and \$89,971 the second year, which includes \$38,610 the first year and \$38,610 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.</p>				
<p>2. To the Cumberland Plateau Planning District Commission, \$89,971 the first year and \$89,971 the second year, which includes \$42,390 the first year and \$42,390 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.</p>				
<p>3. To the Mount Rogers Planning District Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>4. To the New River Valley Planning District Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>5. To the Roanoke Valley-Alleghany Regional Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>6. To the Central Shenandoah Planning District Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>7. To the Northern Shenandoah Valley Regional Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>8. To the Northern Virginia Regional Commission, \$165,943 the first year and \$165,943 the second year.</p>				
<p>9. To the Rappahannock-Rapidan Regional Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>10. To the Thomas Jefferson Planning District Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>11. To the Region 2000 Local Government Council, \$89,971 the first year and \$89,971 the second year.</p>				
<p>12. To the West Piedmont Planning District Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>13. To the Southside Planning District Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>14. To the Commonwealth Regional Council, \$89,971 the first year and \$89,971 the second year.</p>				
<p>15. To the Richmond Regional Planning District Commission, \$127,957 the first year and \$127,957 the second year.</p>				
<p>16. To the George Washington Regional Commission, \$89,971 the first year and \$89,971 the second year.</p>				
<p>17. To the Northern Neck Planning District Commission, \$89,971 the first year and \$89,971 the second year.</p>				

ITEM 115.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
18. To the Middle Peninsula Planning District Commission, \$89,971 the first year and \$89,971 the second year.				
19. To the Crater Planning District Commission, \$89,971 the first year and \$89,971 the second year.				
20. To the Accomack-Northampton Planning District Commission, \$89,971 the first year and \$89,971 the second year.				
21. To the Hampton Roads Planning District Commission \$165,943 the first year, and \$165,943 the second year.				
D. Out of the amounts in this Item, \$1,568,442 the first year and \$1,568,442 the second year from the general fund shall be provided for the Southeast Rural Community Assistance Project (formerly known as the Virginia Water Project) operating costs and water and wastewater grants. The department shall disburse the total payment each year in twelve equal monthly installments.				
E. The department shall leverage any appropriation provided for the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources.				
F. Out of the amounts in this Item, \$95,000 the first year and \$95,000 the second year from the general fund shall be provided for the Center for Rural Virginia. The department shall report periodically to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees on the status, needs and accomplishments of the center.				
G. Out of the amounts in this Item, \$171,250 the first year and \$171,250 the second year from the general fund shall be provided to support The Crooked Road: Virginia's Heritage Music Trail.				
H. Out of the amounts in this Item, \$3,000,000 the first year and \$3,000,000 the second year from the general fund shall be deposited to the Virginia Removal or Rehabilitation of Derelict Structures Fund to support industrial site revitalization. Out of the amounts in this paragraph, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is designated for removing, renovating or modernizing port-related buildings and facilities in the cities of Portsmouth, Norfolk, Newport News, Richmond or Front Royal.				
I. Out of the amounts in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided for the Virginia Main Street Program. This amount shall be in addition to other appropriations for this activity.				
J. Of the general fund amounts provided for the Virginia Main Street Program, the Indoor Plumbing Rehabilitation Program, and the water and wastewater planning and construction projects in Southwest Virginia, the department is authorized to use up to two percent of the appropriation in each year for program administration.				
K.1. Out of the amounts in this Item, \$875,000 the first year and \$875,000 the second year from the general fund shall be provided for the Southwest Virginia Cultural Heritage Foundation.				
2. The foundation shall report by September 1 of each year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the expenditures of the foundation and its ongoing efforts to generate revenues sufficient to sustain operations.				
L.1. Out of the amounts in this Item, \$49,725,000 the first year and \$49,725,000 the second year from the general fund is provided for the Virginia Telecommunication Initiative. The funds shall be used for providing financial assistance to supplement construction costs by private sector broadband service providers to extend service to areas that presently are unserved by any broadband provider. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2023, and June 30, 2024, shall not revert to the general fund but shall be carried forward and reappropriated.				
2. The department shall develop appropriate criteria and guidelines for the use of the funding				

ITEM 115.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

provided to the Virginia Telecommunication Initiative. Such criteria and guidelines shall: (i) facilitate the extension of broadband networks by the private sector and shall focus on unserved areas; (ii) attempt to identify the most cost-effective solutions, given the proposed technology and speed that is desired; (iii) give consideration to proposals that are public-private partnerships in which the private sector will own and operate the completed project; (iv) consider the number of locations where the applicant states that service will be made available, in addition to whether customers take the service in both evaluating applications and in establishing completion and accountability requirements; and, (v) require investment from the private sector partner in the project prior to making any award from the fund at an appropriate level determined by the department. The department shall encourage additional assistance from the local governments in areas designated to receive funds to lower the overall cost and further assist in the timely completion of construction, including assistance with permits, rights of way, easement and other issues that may hinder or delay timely construction and increase the cost.

3. The department shall post electronic copies of all submitted applications to the department's website after the deadline for application submissions has passed but before project approval, and shall establish a process for providers to challenge applications where providers assert the proposed area is served by another broadband provider.

4. The department shall consult with the Broadband Advisory Council to designate the unserved areas to receive funds.

5. Notwithstanding the foregoing, the department shall allow public broadband authorities to apply directly for Virginia Telecommunications Initiative funds without investment from the private sector. The cumulative total of any grants awarded to public broadband authorities shall not exceed 10 percent of total available funding in any fiscal year.

6. For grants awarded from the amounts appropriated in paragraphs B.2.b.2) and C.1. of Chapter 1 of the 2021 Acts of Assembly, Special Session II, Item 114, Paragraph L. of Chapter 552, 2021 Acts of Assembly, Special Session I, and this paragraph, for the construction of broadband infrastructure through the Virginia Telecommunications Initiative (VATI), the Department of Housing and Community Development shall deliver an annual performance report to the Governor, Secretary of Commerce and Trade, Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, and Broadband Advisory Council, on or before November 1st of each year, starting in Calendar Year 2022. To the extent possible, the annual performance report shall contain information by grant recipient and year on the following metrics: (1) Number of passings; (2) Grant dollars expended by fund source (State and Local Recovery Fund, Capital Project Fund, general fund state grants and match); (3) Contract performance period, and on-time progress towards project delivery; (4) Maximum advertised project speeds available; and, (5) Achievement of key project milestones. The annual performance report shall include an evaluation of any projects under risk of incompleteness or underperformance. The Department of Housing and Community Development shall develop a public facing dashboard to be updated quarterly that contains key performance information by grant recipient and year, and includes the key performance indicators outlined above. Information in this public facing tool shall contain data beginning with grants awarded in the fiscal year 2022 Virginia Telecommunications Initiative grant cycle, and any future VATI grant cycles.

M. Out of the amounts in this Item, \$1,408,647 the first year and \$1,408,647 the second year from the general fund is provided for administrative support for the Virginia Telecommunications Initiative.

N.1. Out of the amounts in this Item, \$30,000,000 the first year and \$30,000,000 the second year from the general fund shall be deposited to the Virginia Growth and Opportunity Fund to encourage regional cooperation among business, education, and government on strategic economic and workforce development efforts in accordance with § 2.2-2487, Code of Virginia.

2. Of the amounts provided in this paragraph, the appropriation shall be distributed as follows: (i) \$2,250,000 the first year and \$2,250,000 the second year from the general fund shall be allocated to qualifying regions to support organizational and capacity building activities, which, notwithstanding § 2.2-2489, Code of Virginia, may not require

ITEM 115.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>matching funds if a waiver is granted by the Virginia Growth and Opportunity Board to a qualifying region upon request; (ii) \$16,900,000 the first year and \$16,900,000 the second year from the general fund shall be allocated to qualifying regions based on each region's share of the state population; and (iii) \$10,850,000 the first year and \$10,850,000 the second year from the general fund shall be awarded to regional councils on a competitive basis.</p> <p>3. The Virginia Growth and Opportunity Board may allocate monies among the distributions outlined in paragraph N.2. of this item to meet demonstrated demand for funds. However, only those regional councils whose allocation is less than \$1,000,000 in a fiscal year based on the region's share of state population shall be eligible to receive an additional allocation, and the amount shall be limited such that the total allocation does not exceed \$1,000,000 in a fiscal year.</p> <p>4. The Virginia Growth and Opportunity Board may approve grants for assessments of commercial economic development demand and current access, and to advance the planning and engineering of broadband infrastructure that are aligned with the framework recommended by the working group, established in Chapter 2, 2018 Special Session I, Acts of Assembly and shall give priority consideration for broadband technology development and deployment to facilitate the connectivity or upgrade of services to current and proposed business-ready sites in areas of high unemployment in qualifying regions.</p> <p>5. The Virginia Growth and Opportunity Board may rescind funds allocated to regional councils on a per capita basis, if the unobligated balances of a regional council exceeds its average annual per capita distribution award. Any funds rescinded pursuant to this paragraph shall be retained in the Virginia Growth and Opportunity Fund (09272) and may be used by the Virginia Growth and Opportunity Board for grant awards to competitive projects. The Department shall notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 10 days of the decision by the Virginia Growth and Opportunity Board to rescind regional per capital allocations. The regional council, the amount, and reason for unused funds shall be included in such notice.</p> <p>6.a. The department shall report one month after the close of each calendar quarter to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on grant awards and expenditures from the Virginia Growth and Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the fund, total grants awarded, total expenditures from the fund, total per capita allocations rescinded and repurposed to competitive awards, cash balances, and balances available for future commitments. The report shall further summarize such amounts by the allocations provided in paragraph N.2. of this item, including amounts allocated to support organizational and capacity building activities, amounts allocated to regional councils based on each region's share of the state population, and amounts to be awarded on a competitive basis by fiscal year. The report shall include details on the cash balances available in the Virginia Growth and Opportunity Fund including the unobligated balances by the per capita allocation and competitive allocation of paragraph N.2., which shall be further disaggregated by fiscal year and regional council, as appropriate.</p> <p>b. The department shall report at the close of each fiscal year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the outcomes associated with closed projects that received a grant from the Virginia Growth and Opportunity Fund. This report shall include itemized information that details the project name, the Regional Council, GO Virginia investment type (regional per capita, competitive, or Economic Resilience and Recovery), GO Virginia strategy, program year, date of award, committed match, anticipated project outcomes, and actual project outcomes.</p> <p>O. Of the amounts in this Item, \$20,000 the first year from the general fund shall be provided to the Middle Peninsula Planning District Commission for the purpose of designing and constructing a pilot elevated septic system suitable for areas susceptible to recurrent flooding in rural coastal Virginia. The Department of Health will monitor its ability to protect public health and as a potential strategy for resiliency of recurrent tidal flooding.</p> <p>P.1. Out of the amounts in this Item, \$424,000 the first year and \$424,000 the second year from the general fund is provided to support the creation of a statewide broadband map. The department shall, in coordination with the Office of the Chief Broadband Advisor, develop a statewide broadband availability map indicating broadband coverage, including maximum</p>				

ITEM 115.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
broadband speeds available in service territories in the Commonwealth. The department and Chief Advisor shall provide the initial map by July 1, 2022, or as soon as practicable, and shall update the map at least annually.				
2. Broadband service providers shall be required to submit updated service territory data to the department annually. The department shall establish a process, timeline, and specific data requirements for broadband providers to submit their data. All public bodies shall cooperate with the department, or any agent thereof, to furnish data requested by the Department for the initial improvement and maintenance of the map.				
3. In no instance may the department require broadband providers to submit any data, in either substantive content or form, beyond that which the provider is required to submit to the Federal Communications Commission pursuant to the federal Broadband Deployment Accuracy and Technological Availability Act, 47 U.S.C. § 641 et. seq., provided, however, that satellite-based broadband providers that have been designated as an eligible telecommunications carrier pursuant to 47 U.S.C. § 214(e)(6) for any portion of the Commonwealth shall be required to submit comparable data as other broadband providers. Public bodies and broadband providers shall not be required to submit any customer information, such as names, addresses, or account numbers.				
4. The department may publish only anonymized versions of the map, showing locations served and unserved by broadband without reference to any specific provider. The map shall not include information regarding ownership or control over the network or networks providing service. The department shall establish a process for broadband providers to petition the Department to correct inaccuracies in the map. Any determination made by the department pursuant to any specific petition with respect to any specific map to correct inaccuracies shall be final and not subject to further review.				
5. Maps published by the department pursuant to this section may be considered, but shall not be considered conclusive, for purposes of determining eligibility for funding for Commonwealth broadband expansion grant or loan programs, including the Virginia Telecommunication Initiative, or challenges thereto.				
6. The department: (i) may contract with private parties to make the necessary improvements to the existing map and to maintain the map. Such private parties may include any entities and individuals selected by the department to assist the department in improving and maintaining such a map; (ii) shall consult existing broadband maps, particularly those published by the Federal Communications Commission; and (iii) may acquire existing, privately held data or mapping information that may contribute to the accuracy of the map.				
7. Information submitted by a broadband provider in connection with this section shall be excluded from the requirements of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). Information submitted by a broadband provider pursuant to this section shall be used solely for the purposes stated under this section and shall not be released by the department, or any other public records custodian, without the express written permission of the submitting broadband provider.				
8. The department shall annually evaluate federal mapping data and shall waive the requirement for broadband providers to submit territory data if a map of near identical or greater quality is made publicly available by the Federal Communications Commission as part of the federal Digital Opportunity Data Collection program or its successor. This waiver shall not be unreasonably withheld.				
9. For the purposes of the initiative outlined in paragraph P. of this item, "Broadband" means Internet access at speeds equal to or greater than the broadband Internet speed benchmark set by the Federal Communications Commission. "Broadband provider" means a provider of fixed or mobile broadband Internet access service and includes any entity required to provide the federal government with information on Federal Communications Commission Form 477 or as part of the federal Digital Opportunity Data Collection program or a provider of satellite-based broadband Internet access service that has been designated as an eligible telecommunications carrier pursuant to 47 U.S.C. § 214(e)(6) for any portion of the Commonwealth. "Chief Advisor" means the Commonwealth Broadband Chief Advisor as established in § 2.2-205.2, Code of Virginia. "Map" means the statewide				

ITEM 115.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	broadband availability map developed and maintained pursuant to paragraph P. of this item.			
	Q.1. The State Comptroller shall continue the Virginia Community Development Financial Institutions Fund as established in Item 114, paragraphs Q.1., 2., and 3., Chapter 552, 2021 Acts of Assembly, Special Session I. All moneys in this Fund shall be used as provided for in this Item and in Item 114, paragraphs Q.1., 2., and 3., Chapter 552, 2021 Acts of Assembly, Special Session I.			
	2. On or before December 1 of each year, the department shall report to the Secretary of Commerce and Trade, the Governor, and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations on such other matters regarding the Fund as the Department may deem appropriate, including the amount of funding committed to projects from the Fund, or other items as may be requested by any of the foregoing persons to whom such report is to be submitted.			
	R. Out of the amounts in this Item, \$500,000 the first year and \$500,000 the second year from the general fund is provided for the Lenowisco Planning District Commission and Cumberland Plateau Planning District Commission designated for initiatives intended to expand education and telehealth access. Such funds for grants shall be managed by the Virginia Coalfield Economic Development Authority.			
	S. Out of the amounts in this Item, \$4,000,000 the second year from the general fund shall be provided to Halifax County to support the construction of a water line from the City of Danville to an infrastructure project at the Virginia International Raceway. The project will leverage both state and local, or private funds, with a one-third match by local, or private sources as certified by the department.			
	T.1. The Department of Housing and Community Development, in collaboration with the State Council of Higher Education for Virginia shall convene a taskforce to review and recommend investments in regional initiatives to strengthen Virginia's Biotechnology, Life Sciences, and Pharmaceutical Manufacturing industry cluster (the taskforce). This taskforce shall be comprised of representatives of the Virginia Innovation Partnership Authority, Virginia Economic Development Partnership Authority, Virginia Initiative for Growth and Opportunity Board, State Council of Higher Education for Virginia, and the staff directors of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, or their designees. The taskforce shall use non-biased industry experts to help evaluate the investments below, but shall not receive guidance or advice from representatives of any company, institution, or organization with a vested interest in the projects outlined below.			
	2. Out of the appropriation in this item, \$48,716,344 the first year and \$18,000,000 the second year from the general fund shall be provided to the Department of Housing and Community Development for investments in identified regional innovation clusters. Prior to the award of any funds included in this item, the taskforce, Secretary of Commerce and Trade, and Secretary of Education shall ensure the regional innovation cluster proposals: (i) align with state or regional economic development strategies; (ii) facilitate the opportunity for job creation, wage growth, business creation, and positive economic outcomes for the Commonwealth; (iii) offer a positive return to the state for its investment; and, (iv) maximize philanthropic and federal matching funds. Upon recommendation of the taskforce and final approval from the Secretary of Commerce and Trade and Secretary of Education, the following amounts shall be awarded as follows:			
	a. Up to \$15,000,000 the first year to the Virginia Biotechnology Research Partnership Authority to support the scale-up of a Virginia pharmaceutical research, development, and manufacturing cluster in the Richmond Regional Planning District or the Crater Planning District (central Virginia). The Virginia Biotechnology Research Partnership Authority shall award the funds as follows:			
	1) Of the amounts provided in paragraph T.2.a., up to \$10,000,000 the first year may be used to help fund the construction of a life sciences lab building located at the Virginia Biotech Park in the City of Richmond.			
	2) Of the amounts provided in paragraph T.2.a., up to \$5,000,000 the first year may be used to administer a one-time grant program designed to fund a key starting materials pilot project			

ITEM 115.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>located in the central Virginia. At a minimum, criteria to award the grant shall include: (i) the company is headquartered in Virginia; and (ii) the company has a chemical industrial site to stand up the program in either the Richmond Regional Planning District or the Crater Planning District. Any funding awards shall be used for the direct costs of key starting materials reactors, a centrifuge, and a dryer.</p>				
<p>3) As a condition of the award of any funding identified in paragraph T.2.a., the Virginia Biotechnology Research Partnership Authority shall provide evidence, to the satisfaction of the taskforce, Secretary of Commerce and Trade, and Secretary of Education of a commitment of funding from private or other non-state sources of not less than a like amount of any funding awarded.</p>				
<p>b. Up to \$18,000,000 the first year and \$18,000,000 the second year to the University of Virginia's Institute for Biotechnology to accelerate biotechnology commercialization, genomics and gene therapies, drug delivery technologies and biomanufacturing facilities in the Commonwealth over the next five fiscal years through incentives designed to attract 150 research scientists. Upon recommendation of the taskforce and final approval from the Secretary of Commerce and Trade and Secretary of Education, the following amounts shall be awarded as follows:</p>				
<p>1) Up to \$18,000,000 the first year and \$18,000,000 the second year may be awarded to incentivize the recruitment of high performing biomedical and bioengineering research scientists to the Institute.</p>				
<p>2) Upon approval of the Secretary of Commerce and Trade and Secretary of Education, the University of Virginia shall develop, in consultation with the Secretary of Finance, the Secretary of Education, the Director of the Department of Planning and Budget, the President of the Virginia Economic Development Partnership Authority, and the staff directors of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, or their designees, a Memorandum of Understanding which will set forth the conditions for continued allocations beginning July 1, 2024.</p>				
<p>3) Prior to the release of any funding provided in paragraph T.2.b, and upon the affirmative recommendation of the taskforce, Secretary of Commerce and Trade, and Secretary of Education, the University of Virginia shall demonstrate, to the satisfaction of the taskforce, Secretary of Commerce and Trade, and Secretary of Education, a commitment from private or other non-state sources of not less than a like amount of any funding awarded.</p>				
<p>c. Up to \$15,716,344 the first year as a grant to the City of Roanoke for the renovation of an existing facility to create advanced laboratory, business incubation and an accelerator space for the development of new biotechnology companies across southwestern Virginia. Prior to the release of any funding in this item, and upon the recommendation of the taskforce, the City of Roanoke shall cause or cause to made a matching amount of not less than \$1,955,000 for the project.</p>				
<p>3. Should the taskforce, Secretary of Commerce and Trade, and/or Secretary of Education fail to recommend investments for any of the identified regional projects prior to June 15, 2023, any unawarded first year funds remaining in paragraph T.2. shall revert to the general fund.</p>				
<p>U. The department shall continue the talent pathways planning grant program established in Item 114, Paragraph S. in House Bill 29 of the 2022 General Assembly, Special Session I.</p>				
<p>V.1. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund is provided for the Lenowisco Planning District Commission and the Cumberland Plateau Planning District Commission (PDC), in equal amounts, to identify, plan, and support economic development efforts within each PDC that align with federal funding opportunities, including Assistance to Coal Communities funding. In fulfilling the purposes of this paragraph, the PDCs may hire an additional position to help coordinate efforts and activities designed to maximize the receipt of federal funding by the region. These economic development initiatives may be coordinated Virginia Economic Development Partnership Authority and other regional economic development</p>				

ITEM 115.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>organizations as applicable. The PDCs shall provide quarterly reports to the department on the activities supported and federal investment secured as a result of the funding provided in this paragraph.</p> <p>2. The department shall establish an Inter-Agency Task Force chaired by the Secretary of Commerce and Trade, or their designee, and comprised of designees from the Virginia Economic Development Partnership Authority, Virginia Energy, the Virginia Tourism Corporation, the Department of Housing and Community Development, the Virginia Department of Agriculture and Consumer Services, the Virginia Department of Environmental Quality, the Secretary of Labor, the Virginia Coalfield Economic Development Authority, the Tobacco Region Revitalization Commission, and the Virginia Community College System. The purpose of the Inter-Agency Task Force is to review and make recommendations to support economic development in Southwest Virginia. The Inter-Agency Task Force shall initially review and make recommendations on its findings to the General Assembly by June 1, 2023 regarding (i) the establishment of a downtown revitalization matching fund for communities of less than 2,000 people; (ii) expansion of the Tobacco Commission's Talent Attraction Program; (iii) support for the Southwest Virginia Energy Park, known as the "Energy Lab" project; and, (iv) support for the innovative Energy Storage and Electrification Manufacturing project. The Inter-Agency Task Force may include additional recommendations that will support economic development and job creation in the region in its June 2023 report to the General Assembly. In conducting its review, the department's Division of Economic Development and Community Vitality shall conduct regular stakeholder outreach with impacted communities and regional stakeholders to identify the necessary programs, resources, and policy changes required to support transitioning workers and communities. The Inter-Agency Task Force shall consult with impacted stakeholders including residents of the coalfield counties, employers in the coalfield counties, local government representatives, and representatives of regional nonprofit entities.</p>				
116.	Economic Development Services (53400).....		\$16,754,431	\$16,754,431
	Financial Assistance for Economic Development (53410).....	\$16,754,431	\$16,754,431	
	Fund Sources: General.....	\$16,754,431	\$16,754,431	
<p>Authority: Title 59.1, Chapters 22 and 49, Code of Virginia.</p> <p>Out of the amounts in this Item, \$16,250,000 the first year and \$16,250,000 the second year from the general fund shall be provided to carry out the provisions of §§ 59.1-547 and 59.1-548, Code of Virginia, related to the Enterprise Zone Grant Act. Notwithstanding the provisions of §§ 59.1-547 and 59.1-548, Code of Virginia, the department is authorized to prorate, with no payment of the unpaid portion of the grant necessary in the next fiscal year, the amount of awards each business receives to match the appropriation for this Item. Should actual grants awarded in each fiscal year be less than the amounts provided in this Item, the excess shall not revert to the general fund but shall be reappropriated to support the provisions of this Item. Consistent with the provisions of § 59.1-548, Code of Virginia, beginning on January 1, 2019, the installation of solar panels shall be considered eligible investments for the purposes of the real property improvement grants, provided that such solar installation investment is in an amount of at least \$50,000 and the grant shall be calculated at a rate of 20 percent of the amount of qualified real property investments in excess of \$450,000 in the case of the construction of a new building or facility. Grants shall be calculated at a rate of 20 percent of the amount of qualified real property investment in excess of \$50,000 in the case of the rehabilitation or expansion of an existing building or facility. In the case where a grant is awarded based solely on a solar investment, the grant shall be calculated at a rate of 20 percent of the amount of total qualified real property investments made in solar installation. For such properties eligible for real property improvement grants made solely on the basis of solar installation investments of at least \$50,000 but not more than \$100,000, awards shall not exceed \$1,000,000 in aggregate in any fiscal year.</p>				
117.	Regulation of Structure Safety (56200).....		\$3,230,133	\$3,230,133
	State Building Code Administration (56202).....	\$3,230,133	\$3,230,133	
	Fund Sources: General.....	\$735,155	\$735,155	
	Special.....	\$2,194,978	\$2,194,978	
	Dedicated Special Revenue.....	\$300,000	\$300,000	



ITEM 117.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Authority: Title 15.2, Chapter 9; Title 27, Chapters 1, 6, and 9; Title 36, Chapters 4, 4.1, 4.2, 6, and 8; Title 58.1, Chapter 36, Article 5; and Title 63.2, Chapter 17, Code of Virginia.				
118.	Governmental Affairs Services (70100).....		\$377,482	\$377,482
	Intergovernmental Relations (70101).....	\$377,482	\$377,482	
	Fund Sources: General.....	\$377,482	\$377,482	
Authority: Title 15.2, Subtitle III, Code of Virginia.				
119.	Administrative and Support Services (59900).....		\$5,021,757	\$5,021,757
	General Management and Direction (59901).....	\$5,021,757	\$5,021,757	
	Fund Sources: General.....	\$4,483,533	\$4,483,533	
	Special.....	\$538,224	\$538,224	
Authority: Title 36, Chapter 8, Code of Virginia.				
Total for Department of Housing and Community Development.....			<b>\$499,071,084</b>	<b>\$472,104,740</b>
	General Fund Positions.....	105.25	108.25	
	Nongeneral Fund Positions.....	132.75	132.75	
	Position Level.....	238.00	241.00	
	Fund Sources: General.....	\$264,045,566	\$237,079,222	
	Special.....	\$103,305,071	\$103,305,071	
	Trust and Agency.....	\$150,000	\$150,000	
	Dedicated Special Revenue.....	\$400,000	\$400,000	
	Federal Trust.....	\$131,170,447	\$131,170,447	

**§ 1-40. DEPARTMENT OF ENERGY (409)**

120.	Minerals Management (50600).....		\$30,537,252	\$30,287,252
	Geologic and Mineral Resource Investigations, Mapping, and Utilization (50601).....	\$1,448,334	\$1,448,334	
	Mineral Mining Environmental Protection, Worker Safety and Land Reclamation (50602).....	\$3,167,273	\$2,917,273	
	Gas and Oil Environmental Protection, Worker Safety and Land Reclamation (50603).....	\$1,597,754	\$1,597,754	
	Coal Environmental Protection and Land Reclamation (50604).....	\$19,006,417	\$19,006,417	
	Coal Worker Safety (50605).....	\$5,317,474	\$5,317,474	
	Fund Sources: General.....	\$10,280,703	\$10,030,703	
	Special.....	\$6,109,835	\$6,109,835	
	Trust and Agency.....	\$525,000	\$525,000	
	Dedicated Special Revenue.....	\$173,000	\$173,000	
	Federal Trust.....	\$13,448,714	\$13,448,714	

Authority: Title 45.1, Code of Virginia.

A. Out of this appropriation, \$31,224 the first year and \$31,224 the second year from special funds shall be provided for annual membership dues to the Interstate Mining Compact Commission.

B. Out of this appropriation shall be provided reimbursement for expenses associated with administrative and judicial review when so ordered by a court of competent jurisdiction.

C. Out of this appropriation, \$6,119 the first year and \$6,119 the second year from the general fund shall be provided for annual membership dues to the Interstate Oil and Gas Compact Commission.

D. The application fee for a coal mine license or a renewal or transfer of a license pursuant

ITEM 120.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	to § 45.1-161.58, Code of Virginia, shall be in the amount of \$350.			
	E. The application fee for a mineral mine license or a renewal or transfer of a license pursuant to § 45.1-161.292:31, Code of Virginia, shall be in the amount of \$400, except applications submitted electronically, which shall be accompanied by a fee of \$330. However, the fee for any person engaged in mining sand or gravel on an area of five acres or less shall be required to pay a fee of \$100, except applications submitted electronically, which shall be accompanied by a fee of \$80.			
	F. The application fee for a new oil or gas well permit pursuant to § 45.1-361.29, Code of Virginia, shall be in the amount of \$600 and the application fee for permit modifications shall be \$300.			
	G. Out of this appropriation, \$250,000 the first year from the general fund is provided to complete the study of the health and environmental impacts of the mining of gold pursuant to Chapter 423, 2021 Acts of Assembly, Special Session I.			
121.	Resource Management Research, Planning, and Coordination (50700).....		\$4,565,826	\$4,315,826
	Energy Conservation and Alternative Energy Supply Programs (50705).....	\$4,565,826	\$4,315,826	
	Fund Sources: General.....	\$2,367,485	\$2,117,485	
	Special.....	\$107,932	\$107,932	
	Federal Trust.....	\$2,090,409	\$2,090,409	
	Authority: Title 45.1, Chapter 26, Code of Virginia.			
	A. Out of this appropriation, \$38,362 the first year and \$38,362 the second year from the general fund shall be provided for dues and expenses for the Southern States Energy Board.			
	B. To defray the costs of implementing the Virginia Energy Management Program, the Department of Energy is authorized to have included in state fuel oil, natural gas, electricity, and similar energy contracts a provision for suppliers to collect from using agencies and remit to the department an administrative surcharge. The surcharge shall reflect the department's actual costs to administer the program. Additionally, the department is authorized, consistent with federal funding rules, to distribute energy-related federal funds as grants or as loans to other state or nonstate agencies for use in financing energy-related projects, and to recover from the recipient an administrative service charge to recover the department's costs of administering such grant or loan programs.			
	C. Out of this appropriation, \$137,000 the first year and \$137,000 the second year from the general fund is provided to support one position within the Division of Energy to assist localities with siting, procurement, land use concerns, and other solar energy-related issues.			
	D. Out of this appropriation, \$387,500 the first year and \$387,500 the second year from the general fund is provided to support the Office of Offshore Wind to coordinate state agency activities to develop and execute strategies that reduce barriers for deployment of offshore wind and attract offshore wind supply chain businesses for Virginia's benefit, promote Virginia's infrastructure and workforce development assets, work with public and private sector partners to make Virginia a regional hub for offshore wind, and to provide staff support for the Virginia Offshore Wind Development Authority.			
	E. Out of this appropriation, \$250,000 the first year from the general fund is authorized for geotechnical and related consulting support that may be required to identify the approximate volume and number of waste coal piles present in the coalfield region of the Commonwealth and for the evaluation of opportunities to use coal combustion residuals for construction purposes in public infrastructure projects in the Commonwealth.			
122.	Administrative and Support Services (59900).....		\$4,847,529	\$4,847,529
	General Management and Direction (59901).....	\$4,847,529	\$4,847,529	
	Fund Sources: General.....	\$2,475,202	\$2,475,202	
	Special.....	\$1,456,044	\$1,456,044	
	Dedicated Special Revenue.....	\$916,283	\$916,283	

ITEM 122.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Authority: Title 45.1, Chapter 14.1, Code of Virginia.				
Total for Department of Energy.....			\$39,950,607	\$39,450,607
General Fund Positions.....	162.43	162.43		
Nongeneral Fund Positions.....	74.57	74.57		
Position Level.....	237.00	237.00		
Fund Sources: General.....	\$15,123,390	\$14,623,390		
Special.....	\$7,673,811	\$7,673,811		
Trust and Agency.....	\$525,000	\$525,000		
Dedicated Special Revenue.....	\$1,089,283	\$1,089,283		
Federal Trust.....	\$15,539,123	\$15,539,123		

**§ 1-41. DEPARTMENT OF SMALL BUSINESS AND SUPPLIER DIVERSITY (350)**

123.	Economic Development Services (53400).....			\$8,631,721	\$8,631,721
	Minority Business Enterprise Certification (53414).....	\$1,956,424	\$1,956,424		
	Business Information Services (53418).....	\$2,337,041	\$2,337,041		
	Administrative Services (53422).....	\$2,038,845	\$2,038,845		
	Financial Services for Economic Development (53423).....	\$2,299,411	\$2,299,411		
	Fund Sources: General.....	\$5,892,398	\$5,892,398		
	Special.....	\$891,694	\$891,694		
	Commonwealth Transportation.....	\$1,682,629	\$1,682,629		
	Trust and Agency.....	\$100,000	\$100,000		
	Dedicated Special Revenue.....	\$65,000	\$65,000		

Authority: Title 2.2, Chapters 16.1 and 22, Code of Virginia.

A. The Department of Small Business and Supplier Diversity, in conjunction with the Department of General Services, the Virginia Employment Commission, and the Virginia Department of Transportation, is authorized to conduct analyses of the availability of minority business enterprises in Virginia and the utilization of such businesses by the Commonwealth of Virginia, localities, or private industry in the acquisition of goods and services. The department also is authorized to receive and accept from the United States government, or any agency thereof, and from any other source, private or public, any and all gifts, grants, allotments, bequests or devises of any nature that would assist the department in conducting such analyses or otherwise strengthen its services to minority business enterprises. The Director, Department of Planning and Budget, is authorized to establish a nongeneral fund appropriation for the purposes of expending revenues that may be received for this effort.

B. 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. Notwithstanding the provisions of § 2.2-1616, Code of Virginia, an eligible investor that makes a qualified investment in a small business on or after July 1, 2020, but prior to January 1, 2023, that has been certified by the Authority pursuant to subsection D of § 2.2-1616, Code of Virginia shall be eligible for a grant in an amount equal to the lesser of 25 percent of the qualified investment or \$50,000. 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.

C. Out of the amounts in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided to support the Business One-Stop Program.

D.1. Out of the amounts in this Item, \$170,591 from the general fund and \$1,002,232 from nongeneral funds the first year and \$170,591 from the general fund and \$1,002,232 from nongeneral funds the second year shall be provided for the Virginia Small Business Financing Authority. The general fund amount shall be used to support operating expenses of the authority.

ITEM 123.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
2. The Virginia Small Business Financing Authority is authorized to insure additional loans for eligible small businesses, pursuant to § 2.2-2290, Code of Virginia, up to an aggregate amount not to exceed four times the principal amount in the Insurance or Guarantee Fund, or up to an aggregate amount of \$15,000,000. In the event that the authority is called upon to pay on guaranties of loans of more than 10 percent of the aggregate amount of all outstanding insured loans, the authority shall not insure any further loans and shall immediately notify the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. Pursuant to § 4-1.03 of this act, the Director, Department of Planning and Budget, is authorized to transfer a sum sufficient to the Insurance or Guarantee Fund in the event the amount in the fund falls below the amount needed to honor any guarantee.				
3. For the I-95 HOV/HOT Lanes project as evidenced by the Comprehensive Agreement approved pursuant to the Public-Private Transportation Act of 1995, the maximum fee and/or premium charged by the Virginia Small Business Financing Authority pursuant to §§ 2.2-2285 and 2.2-2291, Code of Virginia, for acting as the conduit issuer for any bond financing is not to exceed \$25,000 per annum.				
E. The Department of Small Business and Supplier Diversity shall include employment services organizations within the development and operation of any state procurement program or program goal and targets for small, women-owned, and minority-owned businesses consistent with requirements in the Code of Virginia requiring the Department to certify employment service organizations.				
F. Notwithstanding any other provision of law, any business certified on or after July 1, 2017, by the Virginia Department of Small Business and Supplier Diversity as a small, women-owned, or minority-owned business, shall be certified for a period of five years unless (i) the certification is revoked before the end of the five-year period, (ii) the business ceases operation, or (iii) the business no longer qualifies as a small, women- or minority-owned business.				
G. Beginning with the calendar quarter ending September 30, 2018, the Director of the Department of Small Business and Supplier Diversity shall report to the Secretary of Commerce and Trade and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the agency's efforts to maximize job creation and retention among the Commonwealth's small businesses. The report shall include, at a minimum, measures of (i) the effectiveness of programs administered by the Small Business Financing Authority in assisting borrowers to create jobs and enable increased capital investment; (ii) the efficiency and effectiveness of Small, Women-owned, and Minority-owned Business and Disadvantaged Business Enterprise programs; (iii) the success of the agency's outreach and technical assistance activities; and, (iv) the number of businesses certified, and the average number of business days to process a certification application each month. The report shall be in a format prescribed by the Secretary, but shall include specific data breakouts for rural areas and service disabled veteran businesses currently certified in the SWaM certification, and shall be due within thirty days of the close of each calendar quarter.				
H. Notwithstanding § 2.2-1604, Code of Virginia, any cooperative association organized pursuant to Chapter 3 (§ 13.1-301 et seq.) of Title 13.1 of the Code of Virginia as a nonstock corporation that was certified as a small business by the Department of Small Business and Supplier Diversity prior to July 1, 2017, may be recertified as a small business by the Department, provided that such cooperative association otherwise meets the requirements for certification as a small business pursuant to Article 1 (§ 2.2-1603 et seq.) of Chapter 16.1 of Title 2.2 of the Code of Virginia and any other applicable provision of the Code of Virginia.				
I. The Department of Small Business and Supplier Diversity shall work in conjunction with the Department of General Services and other stakeholders to develop recommendations on a new performance goal for Small, Women, and Minority (SWaM) business participation on state contracts. The workgroup established in this paragraph shall consider the unique needs of state agencies, including their procurement cycles in developing a new metric for the SWaM program. Additionally, the goals and measures recommended by the department should strive to be specific, measurable, and achievable, and reevaluated over time. The department shall submit its recommendations to the Chairs of the Committees on House General Laws and Senate General Laws and Technology on or before November 1, 2022.				

ITEM 123.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Total for Department of Small Business and Supplier Diversity.....			<b>\$8,631,721</b>	<b>\$8,631,721</b>
General Fund Positions.....	45.00	45.00		
Nongeneral Fund Positions.....	24.00	24.00		
Position Level.....	69.00	69.00		
Fund Sources: General.....	\$5,892,398	\$5,892,398		
Special.....	\$891,694	\$891,694		
Commonwealth Transportation.....	\$1,682,629	\$1,682,629		
Trust and Agency.....	\$100,000	\$100,000		
Dedicated Special Revenue.....	\$65,000	\$65,000		

**§ 1-42. FORT MONROE AUTHORITY (360)**

124.	Economic Development Services (53400).....			\$6,840,947	\$6,597,351
	Administrative Services (53422).....	\$6,840,947	\$6,597,351		
	Fund Sources: General.....	\$6,840,947	\$6,597,351		

Authority: Title 2.2, Chapter 22, Code of Virginia.

A.1. Out of the amounts in this Item, \$6,840,947 the first year and \$6,597,351 the second year from the general fund shall be provided for the Commonwealth's share of the estimated operating expenses of the Fort Monroe Authority (FMA). This appropriation represents the Commonwealth's share of the FMA's estimated operating expenses. These expenses may not be reimbursed by the federal government and shall be reduced by any federal funding the authority may receive for expenditures funded through the Commonwealth's contribution that ultimately qualify for federal reimbursement. Any such reimbursements shall be repaid to the general fund. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments.

2. All moneys of the FMA, from whatever source derived, shall be paid to the treasurer of the FMA. The Auditor of Public Accounts or his legally authorized representatives shall annually examine the accounts of the books of the FMA.

3. Employees of the FMA shall be eligible for membership in the Virginia Retirement System and participation in all of the health and related insurance and other benefits, including premium conversion and flexible benefits, available to state employees as provided by law.

4. Pursuant to § 2.2-2338, Code of Virginia, the Board of Trustees of the FMA shall be deemed a state public body and may meet by electronic communication means in accordance with the requirements set forth in § 2.2-3708, Code of Virginia. Electronic communication shall mean the same as that term is defined in § 2.2-3701, Code of Virginia.

5. Notwithstanding any other provision of law or agreement, the amount paid from all sources of funds by the FMA to the City of Hampton pursuant to § 2.2-2342, Code of Virginia, shall not exceed \$983,960 the first year and \$983,960 the second year.

B. Out of this appropriation, \$545,349 the first year and \$301,753 the second year from the general fund is provided to create a facilities maintenance department.

	Total for Fort Monroe Authority.....			<b>\$6,840,947</b>	<b>\$6,597,351</b>
	Fund Sources: General.....	\$6,840,947	\$6,597,351		

**§ 1-43. VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP (310)**

125.	Economic Development Services (53400).....			\$48,504,192	\$50,579,192
	Economic Development Services (53412).....	\$48,504,192	\$50,579,192		
	Fund Sources: General.....	\$48,504,192	\$50,579,192		

Authority: Title 2.2, Chapter 22, Article 4 and Chapter 51; and § 15.2-941, Code of

ITEM 125.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Virginia.				
A. Upon authorization of the Governor, the Virginia Economic Development Partnership may transfer funds appropriated to it by this act to a nonstock corporation.				
B. Prior to July 1 of each fiscal year, the Virginia Economic Development Partnership shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a report of its operational plan. Prior to November 1 of each fiscal year, the Partnership shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all partnership employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.				
C. In developing the criteria for any pay for performance plan, the board shall include, but not be limited to, these variables: 1) the number of economic development prospects committed to move to or expand operations in Virginia; 2) dollar investment made in Virginia for land acquisition, construction, buildings, and equipment; 3) number of full-time jobs directly related to an economic development project; and 4) location of the project. To that end, the pay for performance plan shall be weighted to recognize and reward employees who successfully recruit new economic development prospects or cause existing prospects to expand operations in localities with fiscal stress greater than the statewide average. Fiscal Stress shall be based on the Index published by the Commission on Local Government. If a prospect is physically located in more than one contiguous locality, the highest Fiscal Stress Index of the participating localities will be used.				
D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director, Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.				
E. The Virginia Economic Development Partnership shall provide administrative and support services for the Virginia Tourism Authority as prescribed in the Memorandum of Agreement until July 1, 2024, or until the authority is able to provide such services.				
F. The Virginia Economic Development Partnership shall report one month after the close of each quarter to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees on the Commonwealth's Development Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the fund, total grants awarded, cash balances, and balances available for future commitments.				
G. Prior to purchasing airline and hotel accommodations related to overseas trade shows, the Virginia Economic Development Partnership shall provide an itemized list of projected costs for review by the Secretary of Commerce and Trade.				
H.1. Out of the amounts in this Item, \$2,250,000 in the first year and \$2,250,000 in the second year from the general fund shall be deposited in the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund established pursuant to § 10.1-1237, Code of Virginia.				
2. Guidelines developed by the Virginia Economic Development Partnership, in consultation with the Department of Environmental Quality, governing the use of the Fund shall provide for grants of up to \$500,000 for site remediation and include a requirement that sites with potential for redevelopment and economic benefits to the surrounding community be prioritized for consideration of such grants.				
I. Any requests for administrative or staff support for the Committee on Business Development and Marketing or the Committee on International Trade established to advise the Virginia Economic Development Partnership shall be directed to, and are subject to the approval of, the Chair or the Chief Executive Officer of the Virginia Economic Development Partnership.				
J.1. Out of the amounts in this Item, \$9,000,000 the first year and \$9,000,000 the second year from the general fund is provided to support the development of a workforce program to				

ITEM 125.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
provide training and recruitment services to select companies locating or expanding in the Commonwealth.				
2. Out of this appropriation, \$560,000 the first year and \$735,000 the second year from the general fund is provided to effectuate the provisions of Chapters 731 and 746 of the 2022 Acts of Assembly. This funding is supplemental to the funds provided in Paragraph J.1. and shall not be included in any base budget for the Virginia Talent Accelerator Program.				
K. Out of the amounts in this item, \$1,062,500 the first year and \$1,062,500 the second year from the general fund is provided for the Virginia Economic Development Partnership Authority to administer a comprehensive Virginia Business Ready Sites program. The funds in this paragraph may be used to administer the program established by Chapter 83 of the 2022 Acts of Assembly and characterize, inventory, develop, market and deploy economic sites in the Commonwealth, which includes business investment activities.				
L.1. Out of the amounts in this Item, \$500,000 the first year and \$500,000 the second year from the general fund is provided to support the Office of Education and Labor Market Alignment in accordance with § 2.2-2238, Code of Virginia.				
2. Notwithstanding any provision of law, the Office of Labor Market Alignment (the Office) shall serve as a resource for education and workforce programs administered by state government to better inform programmatic decisions on workforce education and training. Additionally, the Office shall serve as a guide and resource for the Governor and the General Assembly in determining strategic education and workforce investments in current and future education and workforce training programs with a particular focus on those programs supported with state general fund dollars. The Office shall communicate relevant information in a clear and concise manner to better enable policy makers and decision makers to navigate the complex, often confusing connections between education and the labor market.				
3. The Virginia Economic Development Partnership shall include in its annual report, due on November 1st of each year, an update on the activities of the Office of Labor Market and Alignment.				
M.1. Out of the amounts in this Item, \$4,600,000 the first year and \$4,600,000 the second year from the general fund is provided to fully implement Virginia's International Trade Plan. The authority shall include an update to the International Trade Plan in its annual operating plan due November 1, 2022, as required by § 2.2-2237.1, Code of Virginia.				
2. By January 31, 2023, the initiatives funded through the proposed increase for the authority's International Trade programs will support an additional 55 small to mid-size existing Virginia businesses. No later than January 31, 2023, the authority will report to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee the number of additional small to mid-size existing Virginia businesses supported by VEDP's International Trade programs and services.				
N. Out of this appropriation, \$1,158,969 the first year and \$1,158,969 the second year from the general fund is provided to establish the Division of Incentives consistent with the provisions of § 2.2-2237.3, Code of Virginia.				
O. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund is provided to establish an internal audit function for the authority, consistent with the provisions of § 2.2-2236.1, Code of Virginia.				
P. Out of this appropriation, \$200,000 the first year from the general fund is provided for the authority to complete an economic impact study of expanding a natural gas pipeline to Accomac in Accomack County, Virginia. This analysis shall include a return on investment analysis on the materials used to construct the pipeline (metal or plastic) and its capacity to support business development in terms of capital investment and job creation along the eastern shore. Any-investor owned public service company engaged in the business of furnishing natural gas shall provide information as needed to the authority, at their request, to aid in the completion of this study. The authority shall submit the results of this economic impact study to the Governor and General Assembly on or before December 1, 2022.				

ITEM 125.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Q. Out of the amounts in this item, \$200,000 the first year from the general fund is provided for an inland port feasibility assessment. The Virginia Economic Development Partnership Authority and the Virginia Port Authority, in consultation with the Virginia Tobacco Region Revitalization Commission, the Central Virginia Planning District Commission, and the Mount Rogers Planning District Commission, shall assess the feasibility of establishing an inland port in Region 2000, the Mount Rogers Planning District Commission, or the City of Bristol and submit its findings to the General Assembly no later than November 1, 2022. In conducting this assessment, the Secretary of Transportation, the Department of Rail and Public Transportation, and the Office of Intermodal Planning and Investment shall provide any technical assistance that may be required.</p>				
<p>R. Out of the amounts in this item, \$200,000 the first year from the general fund is provided for the authority to undertake a workforce study for the offshore wind and maritime industries. The authority shall evaluate strategies to attract skilled out-of-state talent to fill maritime jobs in Hampton Roads in support of the shipbuilding, ship repair, and offshore wind industries. In conducting the study, the authority shall assess talent attraction programs operated in other states and review their recruiting strategies, incentives offered for relocation, and the overall programmatic effectiveness. The report shall contain both legislative and funding recommendations with respect to implementation strategies focused on specifically targeted out-of-state populations, including transitioning military personnel, trade-school graduates, and other wind-industry related skillsets, specific incentives that would attract such talent, and potential costs to effectively administer such a program. The report shall be submitted to the General Assembly, Virginia Community College System, and the officials listed in Paragraph A. of Item 487.5 of this act no later than November 1, 2022.</p>				
<p>S. Out of the amounts in this item, \$2,500,000 the second year from the general fund is provided to create a supply chain for the offshore wind industry in Virginia through direct business investment in equipment. In developing this new investment program, the authority shall focus on smaller companies and how investment from the state for equipment can incentivize their participation in this new industry. Individual investments from this program may range from \$20,000 to \$250,000 per company. The authority in collaboration with the Office of Offshore Wind, and other relevant stakeholders shall develop criteria and guidelines for this offshore wind supply chain development program in Virginia on or before June 1, 2023.</p>				
<p>T. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is provided to support the administration of new and expanding programs. This funding shall remain unallotted until authorized for allotment by the Secretary of Finance.</p>				
<p>Total for Virginia Economic Development Partnership.....</p>			<p><b>\$48,504,192</b></p>	<p><b>\$50,579,192</b></p>
<p>Fund Sources: General.....</p>		<p>\$48,504,192</p>	<p>\$50,579,192</p>	

**§ 1-44. VIRGINIA TOURISM AUTHORITY (320)**

126.	Tourist Promotion (53600).....		\$27,039,872	\$23,914,872
	Tourist Promotion Services (53607).....		\$27,039,872	\$23,914,872
	Fund Sources: General.....		\$27,039,872	\$23,914,872

Authority: Title 2.2, Chapter 22, Article 8, Code of Virginia.

A.1. The Department of Transportation shall pay to the Virginia Tourism Authority \$1,325,000 the first year and \$1,425,000 the second year for continued operation of the Welcome Centers, of which \$125,000 the first year and \$225,000 the second year is for maintenance of the Danville Welcome Center. The Department of Transportation shall fund maintenance at each state Welcome Center based on the agreed-upon service levels contained in the Memorandum of Agreement between the Virginia Tourism Authority and the Department of Transportation.

2. To the extent necessary to fund the operations of the Welcome Centers, the Virginia Tourism Authority is authorized to collect fees paid by businesses for display space at the



ITEM 126.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Welcome Centers.				
B. Upon authorization of the Governor, the Virginia Tourism Authority may transfer funds appropriated to it by this act to a nonstock corporation.				
C. Prior to July 1 of each fiscal year, the Virginia Tourism Authority shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a report of its operating plan. Prior to September 1 of each fiscal year, the authority shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all authority employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.				
D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director, Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.				
E.1. Out of the amounts in this Item, \$3,225,000 the first year and \$3,100,000 the second year from the general fund is provided for grants to regional and local tourism authorities and other tourism entities to support their efforts. From the grants provided from the amounts included in this paragraph, priority consideration shall be given to funding for the Daniel Boone Visitor Center, as well as \$300,000 the first year and \$300,000 the second year to the Heart of Appalachia Tourism Authority, and \$50,000 the first year and \$50,000 the second year for events sponsored by Special Olympics Virginia, \$1,100,000 the first year and \$1,100,000 the second year to the Southwest Virginia Regional Recreation Authority for the Spearhead Trails initiative, and \$125,000 the first year for the Virginia Sports Hall of Fame.				
2. Out of the amounts in this paragraph provided for the Southwest Virginia Regional Recreation Authority, up to \$25,000 the first year and up to \$25,000 the second year from the general fund, shall be provided to support a peer-support program for Virginia veterans in partnership with the Spearhead Trails initiative. The Virginia Department of Behavioral Health and Developmental Services and the Virginia Department of Veterans Services shall provide assistance in establishing such program upon the request of the board of the Southwest Regional Recreation Authority.				
F. The Virginia Tourism Authority shall place a high priority on marketing rural areas of the state.				
G. Out of the amounts in this Item, \$3,100,000 in the first year and \$3,100,000 in the second year from the general fund is provided to supplement appropriations to promote Virginia's tourism industries through an enhanced advertising campaign. Of these amounts, at least \$1,000,000 the first year and \$1,000,000 the second year shall be used to support a cooperative advertising program to partner with private sector tourism businesses and regional tourism entities to advertise Virginia as a tourism destination. The state dollars shall be used to incentivize private and regional tourism marketing funds on a \$1.00 for \$1.00 basis whereby the Virginia Tourism Corporation shall enter into agreements to undertake joint advertising purchases to promote Virginia and specific facilities with private sector and regional partners.				
H. Out of the amounts in this Item, \$330,012 the first year and \$330,012 the second year from the general fund is provided to promote and advertise tourism in Virginia. These amounts include \$130,012 in the first year and \$130,012 in the second year for a partnership operated by the Virginia Association of Broadcasters to advertise Virginia Tourism, provided the Association contributes a total of at least \$390,036 in television and radio advertising value to promote tourism in Virginia in the first year and \$390,036 in the second year. Also included in these amounts is \$100,000 the first year and \$100,000 the second year to promote Virginia Parks, and \$100,000 the first year and \$100,000 the second year to promote Virginia's wineries.				
I. Out of the amounts in this Item, \$497,544 the first year and \$497,544 the second year				

ITEM 126.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>from the general fund is provided to purchase media in the Washington, D.C., Virginia, and Baltimore, Maryland markets through a partnership operated by the Virginia Association of Broadcasters, in association with its affiliates in other states in the region, provided that the Association can obtain contributions of at least \$1,492,632 the first year and \$1,492,632 the second year in television, radio and station-related internet advertising value to promote tourism in Virginia.</p>				
<p>J. Out of the amounts in this Item, \$150,000 the first year and \$150,000 the second year from the general fund is provided to support a tourism development initiative in the County of Henrico.</p>				
<p>K. Out of the amounts in this Item, \$25,000 the first year and \$25,000 the second year from the general fund is provided to support the Carver Price Legacy Museum.</p>				
<p>L. With such funds as are available, the Virginia Tourism Authority shall collaborate with "Opening Doors for Virginians with Disabilities" to maintain and update the Opening Doors for Virginians with Disabilities travel guide and establish a more user-friendly link to this information on the Virginia Tourism Corporation website home page.</p>				
<p>M. Out of the amounts in this Item, \$2,140,000 the first year and \$2,140,000 the second year from the general fund is provided for grants to promote tourism in accordance with the provisions of § 2.2-2320.2, Code of Virginia.</p>				
<p>N. Out of the amounts in this Item, \$3,000,000 the first year from the general fund shall be provided to the City of Norfolk to support Sail250 Virginia, a national maritime and military project to commemorate the 250th anniversary of America's independence.</p>				
<p>O. The Virginia Tourism Authority shall develop and maintain an educational website on sites in Virginia featured in the Green Book by Victor Hugo Green. This online tool shall include a comprehensive list of hotels, guest houses, service stations, drug stores, taverns, barber shops, and restaurants known to be safe for traveling Black Americans during the Jim Crow era; historical context on the importance of Green Book sites; and information for residents and visitors to the Commonwealth on how to access these places of historic significance. The Department of Historic Resources shall provide support and technical assistance to the authority in developing and maintaining this resource. This educational website shall be made publicly available on or before June 30, 2023.</p>				
<p>P. The Virginia Tourism Authority shall provide technical assistance to the City of Danville on how best to plan for increased tourism in the Southside region due to infrastructure improvements at the Virginia International Raceway and the opening of a casino in the City.</p>				
Total for Virginia Tourism Authority.....			<b>\$27,039,872</b>	<b>\$23,914,872</b>
Fund Sources: General.....			\$27,039,872	\$23,914,872

**§ 1-45. VIRGINIA INNOVATION PARTNERSHIP AUTHORITY (309)**

127.	Economic Development Services (53400).....		\$47,786,623	\$42,395,623
	Economic Development Services (53412).....	\$47,786,623	\$42,395,623	
	Fund Sources: General.....	\$47,786,623	\$42,395,623	

Authority: Discretionary Inclusion.

A. The Virginia Innovation Partnership Authority (VIPA) is hereby authorized to transfer funds in this appropriation to an established managing non-profit to expend said funds for realizing the statutory purposes of the Authority, by contracting with governmental and private entities, notwithstanding the provisions of § 4-1.05 b of this act.

B. This appropriation shall be disbursed in twelve equal monthly disbursements each fiscal year. The Director, Department of Planning and Budget, may authorize an increase in disbursements for any month not to exceed the total appropriation for the fiscal year if such an advance is necessary to meet payment obligations.

C.1. No later than June 15 of each year, the Authority shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of

ITEM 127.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Commerce and Trade, and the Director, Department of Planning and Budget, a report of its operating plan for each year of the biennium. No later than September 30 of each year, the Authority shall submit to the same entities a detailed expenditure report and a listing of the salaries and bonuses for all authority employees for the concluded fiscal year. Both reports shall be prepared in the formats as approved by the Director, Department of Planning and Budget, and include, but not be limited, to the following:</p>				
<p>a. All planned and actual revenue and expenditures along with funding sources, including state, federal, and other revenue sources of both the Authority and the managing non-profit entity;</p>				
<p>b. By activity or program, total grants made and investments awarded for each grant and investment program;</p>				
<p>c. By activity or program, recoveries of previous grants or investments and sales of equity positions;</p>				
<p>d. Cash balances by funding source, and a report, by program, of available, committed and projected expenditures of all cash balance; and,</p>				
<p>e. Private investment activity related to the fund of funds established in O. of this item.</p>				
<p>2. The President of the managing non-profit entity shall report quarterly to the entity's board of directors, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Commerce and Trade, and the Director, Department of Planning and Budget, in a format approved by the Board the following:</p>				
<p>a. The quarterly financial performance, determined by comparing the budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year;</p>				
<p>b. All investments and grants executed compared to projected investment closings, return on prior investments and grants, including all gains and losses; and</p>				
<p>c. The financial and programmatic performance of all operating entities owned by the managing non-profit entity.</p>				
<p>D.1. By November 1 of each year, the President of the Authority shall report to the Governor and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, the Secretary of Commerce and Trade, and to the Director, Department of Planning and Budget, on key programs and funds managed directly by VIPA. The report shall summarize performance on the outcomes of public and private research investment in applied research projects, capital investment in Virginia companies, job creation, and new company formation.</p>				
<p>2. To the extent possible, the annual performance report shall contain information on the metrics outlined below.</p>				
<p>a. For activities associated with the Virginia Venture Partners (VVP): (i) the number of companies receiving investments from the fund, (ii) the state investment and amount of privately leveraged investments per company, (iii) the estimated number of jobs created, (iv) the estimated tax revenue generated, (v) the number of companies who have received investments from the VVP fund still operating in Virginia, (vi) return on investment, to include the value of proceeds from the sale of equity in companies that received support from the program and economic benefits to the Commonwealth, (vii) the number of state investments that failed and the state investment associated with failed investments, (viii) the number of new companies created or expanded and the number of patents filed, and (ix) the geographic distribution of investments.</p>				
<p>b. For activities associated with the Regional Innovation Fund: (i) the type and number of capacity building projects, (ii) the total state investment per project, (iii) the anticipated results of the investment, (iv) number of jobs created, (v) number of businesses founded, (vi) additional sources of investment in the projects receiving support from the fund, and (vii) the geographic distribution of the investments.</p>				
<p>c. For activities associated with the Commonwealth Commercialization Fund: (i) the number of research grants awarded by domain area, (ii) the state investment per research</p>				

ITEM 127.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>project, (iii) the number of eminent researchers attracted and retained, (iv) additional research dollars leveraged as a result of the state investment, (v) number of new products completed/released to production, (vi) start-ups created from the research investment, (vii) new licenses granted to companies within Virginia, (viii) new licenses granted to companies outside Virginia, and (ix) the geographic distribution of the investments.</p>				
<p>3. Such report shall include the prior fiscal year outcomes as well as the outcomes of each program managed directly by VIPA since inception. In addition, the report shall also include program changes anticipated in the subsequent fiscal year.</p>				
<p>E.1. Out of the appropriation in this Item, \$3,100,000 the first year and \$3,100,000 the second year from the general fund shall be allocated to the Division of Investment to support the Virginia Venture Partners fund and other indirect investment mechanisms to foster the development of Virginia-based technology companies.</p>				
<p>2. Funds returned, including proceeds received due to the sale of a company that previously received a VVP investment, shall remain in the program and be used to make future early stage financing investments consistent with the goals of the program. The managing non-profit may recover the direct costs incurred associated with securing the return of such funds from the moneys returned.</p>				
<p>F. A total of \$3,000,000 the first year and \$3,000,000 the second year from the general fund shall be allocated to the Entrepreneurial Ecosystems Division to support and promote technology-based entrepreneurial activities in the Commonwealth as specified in § 2.2-2357, Code of Virginia. Out of these amounts, \$2,000,000 the first year and \$2,000,000 the second year shall establish the Regional Innovation Fund which may be used to provide follow-on sustaining funding to promising entrepreneurial ecosystem projects identified by the Virginia Initiative for Growth and Opportunity in Each Region (GO Virginia) Board.</p>				
<p>G. A total of \$5,000,000 the first year and \$5,000,000 the second year from the general fund 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.</p>				
<p>H. A total of \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be allocated to the Technology Industry Development Services to support strategic initiatives to advance the Authority's public purpose. These initiatives may include: (i) seeking, or supporting others in seeking, federal grants, contracts, or other funding sources; (ii) assuming responsibility for strategic initiatives and partnerships with federal and local governments; (iii) taking a lead role in defining, promoting, and implementing policies that advance innovation and entrepreneurial activity; and (iv) contracting with federal and private entities to further innovation, commercialization, and entrepreneurship in the Commonwealth.</p>				
<p>I. Out of the appropriation in this Item, \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be made available for the Virginia Center for Unmanned Systems. The Center shall serve as a catalyst for growth of unmanned and autonomous systems vehicles and technologies in Virginia. The Center will establish collaboration between businesses, investors, universities, entrepreneurs and government organizations to increase the Commonwealth's position as a leader of the Autonomous Systems community.</p>				
<p>J.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 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.</p>				
<p>2. Of the amounts provided in J.1. for the research consortium, up to \$3,750,000 the first year</p>				

ITEM 127.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

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. VHBRC, 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.

K.1. Out of the appropriation in this Item, \$925,000 the first year and \$925,000 the second year from the general fund shall be made available to the Commonwealth Center for Advanced Manufacturing (CCAM) for rent, operating support, and maintenance. These funds shall not revert back to the general fund at the end of the fiscal year.

2. Out of the appropriation in this Item, VIPA shall provide \$1,100,000 the first year and \$1,100,000 the second year from the general fund to CCAM for the purpose of providing private sector incentive grants to industry members of the CCAM as follows: (i) incentive grants for new industry members with no prior membership at CCAM; (ii) incentive grants to small manufacturing members who locate their primary job center in the Commonwealth, as determined by VEDP, in order to mitigate inaugural, industry membership costs associated with joining CCAM; (iii) grants dedicated to CCAM industry members to be used exclusively for research project costs and require a minimum one-to-one match in funds to conduct additional directed research at the CCAM facility after their base amount of directed research is programmed; and (iv) grants to CCAM for seedling research project costs that enable CCAM to market new research programs to prospective and existing industry members. These funds shall not revert back to the

ITEM 127.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

general fund at the end of the fiscal year.

3. Out of the appropriation in this Item, VIPA shall provide \$600,000 the first year and \$600,000 the second year from the general fund to CCAM for (i) university research grants requiring a minimum one-to-one match in funds that bring in external research funds from federal or private organizations for research to be conducted at the CCAM facility and (ii) follow-on efforts, including road mapping activities, marketing and proposal development, to leverage project activities for the pursuit of CCAM/University jointly funded federal programs. All project approvals are contingent upon each university partner entering into a memorandum of understanding (MOU) with CCAM that includes specific details about the university's anticipated commitment of financial and human resources, as well as programming and academic credentialing plans, to the CCAM facility. These funds shall not revert back to the general fund at the end of the fiscal year.

4. Out of the appropriation in this Item, VIPA shall provide \$1,000,000 the first year and \$1,000,000 the second year from the general fund to CCAM for the purposes of: (i) attracting federal funds for research projects to be conducted at CCAM, including marketing, travel, grant proposal writing, and business development costs; (ii) matching funds for federal research programs; and (iii) federal research program costs not reimbursable on federal research awards. These funds shall not revert back to the general fund at the end of the fiscal year.

5. CCAM shall submit a report on October 1 of each year to the Secretary of Finance, Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and VIPA containing a status update of all new incentive programs, including but not limited to the following: (i) MOUs it has entered into with each university partner; (ii) funds disbursed to both university and private sector partners of CCAM, as well as any other recipients; (iii) any other agreements CCAM has entered into with representatives of the public and private sectors that may impact current and future incentive fund disbursements; (iv) all efforts and costs associated with obtaining federal research grants; and (v) any additional information requested by the Secretary of Finance, or the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

6. Out of this appropriation, \$5,391,000 the first year from the general fund is provided to the Commonwealth Center for Advanced Manufacturing to pay outstanding obligations.

L.1. Out of the appropriation in this Item, \$10,000,000 the first year and \$10,000,000 the second year from the general fund is provided to scale the Commonwealth Cyber Initiative (CCI) and provide resources for faculty recruiting at both the Hub, Virginia Polytechnic Institute and State University, and Node sites. The amounts provided in this paragraph are non-reverting and shall constitute the base budget for subsequent fiscal years.

2. Out of the appropriation in this Item, \$7,500,000 the first year and \$7,500,000 the second year from the general fund is provided for the leasing of space and establishment of the Hub by the anchoring institution and for the establishment of research faculty, entrepreneurship programs, student internships and educational programming, and operations of the Hub. The amounts provided in this paragraph are non-reverting and shall constitute the base budget for subsequent fiscal years.

3. Nothing shall prevent the Hub and certified Node sites from seeking matching funds for faculty recruitment and support for renovations and equipment from previous bond authorizations for higher education equipment or grant programs managed by the Authority, including but not limited to the Commonwealth Commercialization Fund. Certified institutions shall submit their funding request application to the Authority for review and authorization under the application procedures relevant for the program or bond authorization. After completing its review, VIPA shall approve or deny the request for an allocation of funds.

4. CCI shall submit a report by October 1st of each year to the 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 detailing the use and leverage of the investment in this item in strengthening the state's cyber economy. The state report shall contain information on: (i) external research grants attracted to support the work of CCI, (ii) research grants awarded from the funds contained in this item, (iii)

ITEM 127.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>research faculty recruited, (iv) results of entrepreneurship and workforce programming, (v) collaborative partnerships and projects, (vi) correlated economic outcomes (jobs and new business formation), and (vii) the geographic distribution of awards from the funding contained in this item.</p> <p>M.1. Out of the appropriation in this Item, \$350,000 the first year and \$350,000 the second year from the general fund is designated for the Commonwealth Center for Advanced Logistics (CCALS) to provide seed money for collaborative public sector projects with partners, such as the Port of Virginia, Department of Corrections, and the Virginia Department of Transportation.</p> <p>2. CCALS shall submit a report by October 1st of each year 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 to include (i) all planned and actual revenue and expenditures along with funding sources, including state, federal, and other revenue sources for CCALS, (ii) the research activities of CCALS, and (iii) relevant economic outcomes as a result of the CCALS' work in each fiscal year.</p> <p>N. Out of the appropriation in this Item, \$125,000 the first year and \$125,000 the second year is designated for the Virginia Academy of Engineering, Science and Medicine to provide technical assistance to VIPA.</p> <p>O. 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.</p> <p>P. Out of the appropriation in this Item, \$750,000 the first year and \$750,000 the second year from the general fund is provided for the annual lease and operating costs for the Authority's Richmond headquarters and other locations throughout the Commonwealth.</p>				
Total for Virginia Innovation Partnership Authority.....			<b>\$47,786,623</b>	<b>\$42,395,623</b>
Fund Sources: General.....	\$47,786,623	\$42,395,623		
<b>TOTAL FOR OFFICE OF COMMERCE AND TRADE.....</b>			<b>\$834,564,885</b>	<b>\$797,528,152</b>
General Fund Positions.....	321.68	324.68		
Nongeneral Fund Positions.....	231.32	231.32		
Position Level.....	553.00	556.00		
Fund Sources: General.....	\$571,822,827	\$534,786,094		
Special.....	\$111,870,576	\$111,870,576		
Commonwealth Transportation.....	\$1,682,629	\$1,682,629		
Trust and Agency.....	\$775,000	\$775,000		
Dedicated Special Revenue.....	\$1,704,283	\$1,704,283		
Federal Trust.....	\$146,709,570	\$146,709,570		

ITEM 128.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**OFFICE OF EDUCATION**

**§ 1-46. SECRETARY OF EDUCATION (185)**

128.	Administrative and Support Services (79900).....			\$774,902	\$774,902
	General Management and Direction (79901).....	\$774,902	\$774,902		
	Fund Sources: General.....	\$774,902	\$774,902		

Authority: Title 2.2, Chapter 2, § 2.2-208 Code of Virginia.

A. The Secretary of Education is hereby authorized to make allocations of the portion of the tax-exempt private activity bond limitation amount to be allocated annually to the Commonwealth of Virginia pursuant to the Economic Growth and Tax Relief Reconciliation Act of 2001 (PL 107-16)(Section 142(k)(5) of the Internal Revenue Code of 1986, as amended) for the development of education facilities using public-private partnerships, and to provide for carryovers of any unused limitation amount. In making such allocations, the Secretary is directed to give priority to public-private partnership proposals that will serve as demonstration projects concerning the leveraging of private sector contributions and resources, the achievement of economies or efficiencies associated with private sector innovation, and other benefits that are or may be derived from public-private partnerships in contrast to more traditional approaches to public school construction and renovation. The Secretary is directed to report annually not later than August 31 to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees regarding any guidelines implemented and any allocations made pursuant to this paragraph.

B. For the funds identified for reallocation in each of the higher education institutions' educational and general programs, each respective institution shall report the amounts and the specific purposes for which they were used in its six-year academic plans finalized in the fall of 2022 and the fall of 2023.

C. The Secretary of Education, in collaboration with the Office of Attorney General, Debt Collection Division, and with the cooperation and assistance of the State Council of Higher Education for Virginia and public institutions of higher education and their affiliated entities, shall evaluate and submit to the General Assembly no later than December 1, 2022, a report on student debt collection practices and policies at public institutions of higher education in the Commonwealth. Such report shall include, but not be limited to: (i) the age of the debt; (ii) the institutional practices or policies governing student debt and the ability of the student to receive a transcript; (iii) demographic factors of the student such as race, age, domicile, income, and whether or not the student is a first generation college student; (iv) the unique circumstances that led to the student's debt in the first place; (v) similar practices and policies in neighboring states;(vi) financial counseling students receive upon entering the institution; and (vii) financial counseling students receive when preparing to leave the institution.

Total for Secretary of Education.....			<b>\$774,902</b>	<b>\$774,902</b>
General Fund Positions.....	5.00	5.00		
Position Level.....	5.00	5.00		
Fund Sources: General.....	\$774,902	\$774,902		

**§ 1-47. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)**

129.	Instructional Services (18100).....			\$292,085,986	\$297,240,386
	Public Education Instructional Services (18101).....	\$18,793,661	\$23,396,661		
	Program Administration and Assistance for Instructional Services (18102).....	\$271,680,209	\$272,231,609		
	Adult Education and Literacy (18104).....	\$1,612,116	\$1,612,116		
	Fund Sources: General.....	\$17,732,804	\$22,887,204		
	Special.....	\$775,000	\$775,000		
	Commonwealth Transportation.....	\$283,854	\$283,854		
	Trust and Agency.....	\$5,000	\$5,000		



ITEM 129.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
Federal Trust.....	\$273,289,328	\$273,289,328		

Authority: Public Education Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L.108-447, P.L. 102-305, Federal Code.

Program Administration and Assistance for Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, P.L. 102-305, Federal Code.

Compliance and Monitoring of Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, Federal Code.

Adult Education and Literacy: §§ 2.2-2472, 22.1-223-226, 22.1-253.13:1, 22.1-254.2, Code of Virginia; P.L. 105-220, Federal Code.

Early Childhood Care and Education: Title 22.1, Chapter 14, Code of Virginia; P.L. 113-186, Federal Code.

A. The Superintendent of Public Instruction is encouraged to implement school/community team training.

B. The Superintendent of Public Instruction shall provide direction and technical assistance to local school divisions in the revision of their Vocational Education curriculum and instructional practices.

C. The Superintendent of Public Instruction, in cooperation with the Commissioner of Social Services, shall encourage local departments of social services and local school divisions to work together to develop cooperative arrangements for the use of school resources, especially computer labs, for the purpose of training Temporary Assistance for Needy Families (TANF) recipients for the workforce.

D. Notwithstanding § 4-1.04 a 3 of this act, the Superintendent of Public Instruction may apply for grant funding to be used by local school divisions consistent with the provisions of Chapter 447, 1999 Acts of Assembly. The nongeneral fund appropriation for this agency shall be adjusted by the amount of the proceeds of any such grant awards.

E. 1. Out of the appropriations in this item, \$1,300,000 the first year and \$1,300,000 the second year from the general fund is provided to support students and teachers pursuing information technology industry certifications. The funding shall be used to provide outreach, training, instructional resources, industry recognized certification opportunities for teachers and students enrolled in Virginia public high schools and regional career and technical education programs, and information technology curriculum resources for use by students' parents.

2. The funds provided in this initiative shall be used to support the following priority objectives: a) increase the percentage of students enrolled in career and technical education courses who receive instruction in information technology leading to an increased number of students achieving industry recognized certifications in information technology; b) increase the number of high schools and regional career and technical education programs that receive the training and technical support to be ready to implement information technology curricula leading to increased statewide implementation and use; c) increase the number of teachers teaching targeted career and technical education courses and other high school teachers who receive training in information technology and in industry recognized certifications leading to an increased number of teachers achieving industry recognized certifications in information technology; and, d) support implementation of information technology curricula in school divisions in Southside and Southwest Virginia so that implementation in those regions is at least comparable to implementation in other regions of Virginia.

F. Out of the appropriation in this Item, \$413,000 the first year and \$413,000 the second year from the general fund is provided for the Department of Education to continue a professional development program intended to increase the capacity of principals as school leaders in under-performing schools.

G. Out of the appropriation in this Item, \$366,000 the first year and \$366,000 the second year from the general fund is provided to the Department of Education to assist local

ITEM 129.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>school divisions, as needed, to establish criteria for the professional development of teachers and principals on the subject of issues related to high-needs students.</p>				
<p>H. Out of this appropriation, \$3,427,000 the first year and \$3,652,000 the second year from the general fund is provided for the Virginia Kindergarten Readiness Program.</p>				
<p>a. Of this amount, \$1,377,000 the first year and \$1,377,000 the second year from the general fund is provided through the Department of Education to the University of Virginia to continue statewide implementation of the Virginia Kindergarten Readiness Program conducted in the fall, and to continue to support a post-assessment upon the conclusion of the kindergarten year.</p>				
<p>b. The Department of Education shall coordinate with the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that all school divisions shall be required to have their kindergarten students assessed annually during the school year using the multi-dimensional kindergarten readiness assessment model. All school divisions shall be required to have their kindergarten students assessed with such model.</p>				
<p>c. Of this amount, \$1,050,000 the first year and \$1,050,000 the second year shall be allocated to the University of Virginia to support implementation of a pre-kindergarten version of the Virginia Kindergarten Readiness Program for four-year-old children enrolled in publicly-funded pre-kindergarten programs, and for piloting the use and development of a pre-kindergarten version of the Virginia Kindergarten Readiness Program for three-year-old children enrolled in publicly-funded pre-kindergarten programs.</p>				
<p>d. Of this amount, \$350,000 the first year and \$350,000 the second year from the general fund shall be allocated to University of Virginia's Center for Advanced Study of Teaching and Learning to provide training to school divisions annually on how to effectively use Virginia Kindergarten Readiness Program data to improve instructional practices and student learning. Such teacher focused professional development and training shall be prioritized for the school divisions that would most benefit from state assistance in order to provide more time for classroom instruction and student learning for kindergarten and pre-kindergarten students, including both three- and four-year-old pre-kindergarten classrooms.</p>				
<p>e. The Department and the University of Virginia's Center for Advanced Study of Teaching and Learning shall use the results of the multi-dimensional Virginia Kindergarten Readiness Program assessments to determine how well the Virginia Preschool Initiative promotes readiness in all key developmental domains assessed. The Department shall submit such findings using data from the prior year's fall assessment to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than October 1 each year.</p>				
<p>f. Of this amount, \$650,000 the first year and \$875,000 the second year from the general fund is provided through the Department of Education to the University of Virginia in partnership with the Department and school divisions to develop an assessment in literacy, math, social skills and self-regulation in grades one, two and three to help teachers, parents and divisions identify students' strengths, deficiencies and support student growth longitudinally. A pilot of the assessment shall be implemented in the 2023-2024 school year, and the Department shall report on the status of the pilot to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1, 2023.</p>				
<p>I. Out of this appropriation, \$700,000 the first year and \$700,000 the second year from the general fund is provided through the Department of Education to the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that teachers in select publicly-funded early childhood programs, including Virginia Preschool Initiative classrooms, receive appropriate individualized professional development training from professional development specialists to support quality teacher-child interactions and effective implementation of high-quality curriculum. Funding and professional development assistance shall be prioritized for classrooms that have demonstrated need based on the Unified Measurement and Improvement System, known as VQB5, established pursuant to § 22.1-289.05, Code of Virginia, which is based on observing teachers with the Classroom Assessment Scoring System (CLASS) observation tool and use of standards-aligned curriculum. The University of Virginia's Center for Advanced Study of Teaching and Learning, assisted on an as needed basis by the Department of Education, Virginia Early</p>				

ITEM 129.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

Childhood Foundation, and Elevate Early Education shall hire and train specialists to provide such individualized professional development. The University of Virginia's Center for Advanced Study of Teaching and Learning and the Training and Technical Assistance Centers funded by the Individuals with Disabilities Act (IDEA) through the Department of Education shall coordinate to ensure alignment of professional development and supports for teachers of children with special needs.

J. Out of this appropriation, \$805,600 the first year and \$1,047,000 the second year from the general fund is provided to ensure that select publicly-funded early childhood programs, including Virginia Preschool Initiative programs, have the quality of their teacher-child interactions assessed through a rigorous and research-based classroom observational instrument using the CLASS observational instrument for such assessment. These observations shall be used to verify accuracy and maintain reliability of the measurements required within Virginia's Unified Measurement and Improvement System, known as VQB5, established pursuant to § 22.1-289.05, Code of Virginia.

K. 1. The Department of Education and the Department of Social Services shall determine the amount of nongeneral funds to be transferred to the Department of Social Services to address costs associated with administration of the Child Care and Development Fund each year.

2. The Department of Social Services and the Department of Education shall ensure that the Temporary Assistance for Needy Families (TANF) Virginia Initiative for Employment and Work (VIEW) mandated child care forecast is funded through a combination of general fund, TANF, and Child Care Development Fund (CCDF) grant dollars. The amount of needed CCDF dollars identified in the Memorandum of Agreement between the agencies shall be transferred from the Department of Education to the Department of Social Services within the first thirty days of the fiscal year. The Department of Social Services shall notify the Department of Education of the required amount of the next fiscal year transfer upon the enrollment of the budget. This amount shall reflect the need identified in the official forecast as well as changes resulting from actions in the final budget.

L. The Department of Education, in collaboration with the Department of Social Services, shall prepare an annual Child Care and Development Fund (CCDF) report that reflects all CCDF expenditures from the previous fiscal year, current grant balances and obligation and liquidation deadlines, as well as all anticipated spending for the current and two subsequent fiscal years. Identified spending should, at a minimum, be broken down by subsidies (mandated and discretionary), administrative costs, and quality efforts. The plan also shall include a certification from the Department that the maximum amount of federal funds were drawn down in the preceding fiscal year. Should the Department be unable to certify that maximum federal funds were drawn down, the Department shall identify strategies for Virginia to obtain the maximum amount of federal funds in the following fiscal year(s) as part of this plan. In addition, this plan should report, by locality, the number of subsidies (mandated and discretionary) provided, number of providers receiving CCDF dollars, the overall number of child care providers, and the waitlist for services. This information should be provided the previous fiscal year, current fiscal year, and two subsequent fiscal years. The plan shall also include an appendix with the most recently completed CCDF annual report as required by the federal Office of Child Care. The department shall submit the report by October 1 of each year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. In addition, the department shall post this report on its website along with any reports from previous fiscal years.

M. Notwithstanding any other provision of law, the Department of Education shall have temporary authority to make any changes to the Child Care and Development Fund (CCDF) State Plan, request waivers from the federal Office of Child Care, change eligibility criteria for benefits and services, and payment levels for the Child Care Subsidy Program in response to the COVID-19 pandemic and new authorities and funding made available by the federal government to effect those policies necessary to ensure that benefits are available to eligible populations in response to COVID-19. Prior to the implementation of any change, the Department of Education must receive written approval from the Governor. Within 15 days of implementing changes in response to

ITEM 129.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	<p>COVID-19, the Department of Education shall send a list of such actions to the Director of the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.</p>			
	<p>N. The Department of Education shall convene a work group of early childhood care and education advocates and appropriate subject matter experts to develop recommendations for the use of marijuana tax revenues, collected pursuant to § 4.1-614, Code of Virginia, in combination with other state and federal resources, to maximize access to pre-kindergarten programs for three- and four-year old children. The work group shall explore: 1) the current early childhood care and education funding landscape in Virginia; 2) the available literature and data to assess the impact of incorporating pre-kindergarten into Virginia's public school funding formula; 3) best practices in other states and localities that could be replicated in Virginia; 4) and the potential impact of different pre-kindergarten funding mechanisms on the cost and availability of child care for infants and toddlers. The work group shall identify: 1) any changes to laws, regulations, and policies required to implement the recommendations; 2) features of existing local, regional, and state governance structures that may need to be updated, changed or strengthened to support the equitable allocation and dissemination of mixed-delivery pre-kindergarten funds; and 3) potential needs for policy changes or redistribution of federal funds to offset or mitigate potential impacts to the cost and availability of child care for infants and toddlers. The Department of Education shall submit a report of the work group's findings and recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2023.</p>			
	<p>O. The Department of Education shall develop a methodology to estimate the actual cost of providing high-quality early childhood care and education services in community-based settings. Such methodology shall meet the requirements set forth by the Administration for Children and Families, U.S. Department of Health and Human Services, for alternative methodologies to market rate surveys. The Department shall summarize the methodology in a report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 31, 2022.</p>			
	<p>P. Notwithstanding 8VAC-20-790, the Department of Education shall not set a limit on the duration of time that families may participate in the Child Care Subsidy Program, subject to available funds.</p>			
	<p>Q. Notwithstanding 8VAC-20-790, the Department of Education shall increase participation in the Child Care Subsidy Program among families and providers using non-general funds by: 1) making child care assistance available to parents or guardians who are searching for work; 2) piloting the use of categorical eligibility for families with young children participating in Medicaid and WIC; 3) issuing payments to Child Care Subsidy Program vendors for authorized enrollment, subject to the attendance threshold established by the Department of Education; 4) issuing payments to providers for up to 15 days of planned closure for all vendors in the Child Care Subsidy Program for holidays, vacations, and professional development or planning time; 5) issuing payments to family day homes in the Child Care Subsidy program for up to three sick days to care for themselves or a family member; 6) increasing provider payment rates based on the cost methodology developed by the Department in its Child Care Cost Estimation Report; 7) ensuring that Child Care Subsidy Program vendor payment rates for infants and toddlers fully reflect the cost of care; 8) eliminating copayments for families at or below 100 percent of the federal poverty guidelines and reducing copayments for families above 100 percent of the federal poverty guidelines; 9) maximizing federal Child Care Development Funds to eliminate the waitlist for child care subsidy assistance; and 10) making all families eligible for assistance through the Child Care Subsidy Program for each child in the family who is under the age of 13 for as long as (i) the family's income does not exceed 85% of the state median income; (ii) the family includes at least one child who is five years of age or younger and has not started kindergarten; and (iii) the family meets all other eligibility requirements of the Child Care Subsidy Program. These expanded allowances for families and providers under the Child Care Subsidy Program are effective only in state FY 2023 and state FY 2024. In the Department of Education's October 1 annual Child Care Development Fund report, required by paragraph L. of this Item, the Department shall include detail about the impact of these expanded allowances on the number of families and children served, the number of participating child care vendors, and the Child Care Development Fund balance, as well as the Department's plan for phasing out these</p>			

ITEM 129.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

expanded allowances at the end of state FY 2024.

R. The Department of Education shall collaborate with the Virginia Foundation for Healthy Youth in the implementation of the eighteenth and nineteenth enactments of Chapter 550, 2021 Acts of Assembly, Special Session I.

S. For the purposes of obtaining data pertaining to learning loss due to the COVID-19 pandemic, the Department of Education may use funds from the Elementary and Secondary School Emergency Relief (ESSER) Fund, State Educational Agency reservation, for the establishment of a system to assess student growth with a focus on learning loss due to the COVID-19 pandemic. Each school division in the Commonwealth shall implement the system and make reports from the system available to educators to allow them to address learning for their students.

T. Out of this appropriation, \$200,000 the first year from the general fund is provided to the Department of Education to study options to expand student access to Academic Year Governor's Schools. In such study, the Department shall consider the need and demand for additional Academic Year Governor's Schools slots and programs, regional access to slots and programs, whether virtual resources through the Department of Education could be better leveraged to expand access to Governor's School courses, and potential costs and timelines for implementation. The Department of Education shall report its findings to the Chairs of the House Committee on Education, the Senate Committee on Education and Health, the House Committee on Appropriations, and the Senate Committee on Finance and Appropriations no later than August 1, 2023.

U. 1. Out of this appropriation, \$4,890,000 the first year and \$4,640,000 the second year from the general fund is provided to prepare for the implementation of literacy instruction aligned with science-based reading research beginning in the 2024-2025 school year, as required by the Virginia Literacy Act, Chapters 549 and 550, 2022 Acts of Assembly. These funds shall be used to support the development of microcredentials, parent resources, professional development resources, deployment of a train the trainer model to disseminate the professional development to teachers, and the provision of technical assistance and professional development to school divisions.

2. Of this amount, \$600,000 the first year and \$1,200,000 the second year shall be allocated to the University of Virginia's Center for Advanced Study of Teaching and Learning through the Department of Education, for the establishment and provision of literacy coaching, technical assistance and professional development as required by the act.

3. The Board of Education shall initiate the textbook approval process as provided in § 22.1-238 et seq. to ensure local school boards may purchase textbooks aligned with Chapters 549 and 550, 2022 Acts of Assembly, through the Virginia Public Procurement Act exemption provided in § 22.1-241.

130.	Special Education and Student Services (18200).....			\$17,810,446	\$17,688,686
	Special Education Instructional Services (18201).....	\$10,562,088	\$10,440,328		
	Special Education Administration and Assistance Services (18202).....	\$1,046,703	\$1,046,703		
	Special Education Compliance and Monitoring Services (18203).....	\$3,671,256	\$3,671,256		
	Student Assistance and Guidance Services (18204).	\$2,530,399	\$2,530,399		
	Fund Sources: General.....	\$2,738,673	\$2,616,913		
	Special.....	\$120,000	\$120,000		
	Federal Trust.....	\$14,951,773	\$14,951,773		

Authority: Special Education Instructional Services: §§ 22.1-213 through 22.1-221, 22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.

Special Education Administration and Assistance Services: §§ 22.1-253.13:1 through 22.1-253.13:8, Code of Virginia; P.L. 108-446, Federal Code.

Special Education Compliance and Monitoring Services: §§ 22.1-213 through 22.1-221,

ITEM 130.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.				
Student Assistance and Guidance Services: Title 22.1, Chapters 1, 13, 14, 16; §§ 22.1-16.2, 22.1-17.1, 22.1-17.2, 22.1-199.4, 22.1-206, 22.1-207.1, 22.1-208.01, 22.1-209.2, Code of Virginia; P.L. 107-110 and P.L. 108-446, Federal Code.				
A. The Department of Education, in collaboration with the Office of Children's Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the special education services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local school divisions. In addition, the Department of Education shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.				
B. The Board of Education shall consider the caseload standards for speech-language pathologists as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.				
C. The Board of Education shall consider the inclusion of instructional positions needed for blind and visually impaired students enrolled in public schools and shall consider developing a caseload requirement for these instructional positions as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.				
D. Out of this appropriation, \$447,416 the first year and \$447,416 the second year from the general fund is provided to the Department of Education to provide training, technical assistance, and on-site coaching to public school teachers and administrators on implementation of a positive behavioral interventions and supports program with the goal of improving school climate and reducing disruptive behavior in the classroom. Such training and other assistance may be provided as part of the Department's ongoing efforts to assist schools with implementation of a tiered system of supports that addresses both academic and behavioral needs.				
E. Out of this appropriation, \$290,000 the first year and \$290,000 the second year from the general fund and \$290,000 the first year and \$290,000 the second year from federal funds shall be used for Multisensory Structured Literacy teacher training.				
F. Out of this appropriation, \$592,755 the first year and \$592,755 the second year from the general fund is provided to support statewide training and assistance for local school divisions to implement the Board of Education's Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia.				
G.1. The Department of Education shall serve as the lead agency to collect and report data that succinctly measures the progress and outcomes of students that are placed in private provider settings by such student's public school of residence in Virginia or have been placed in a private provider facility by other legal means for which the Commonwealth is responsible for providing education. In keeping with the November 1, 2018, Private Day Special Education Outcomes report's findings and recommendations, the data shall include at least student attendance rates, graduation rates, individual student progress improvement rates relative to student individual education plans, standardized test scores, return to public school setting percentages, suspension and expulsion rates, transition to enrolling in post-secondary education percentages, and parental and student perspectives.				
2. The Department of Education, in collaboration with the Office of Children's Services, shall establish an implementation advisory group to assist in refining the outcome measures contained in paragraph G.1 of this item and the collection of any additional information that is beneficial in determining and measuring outcomes of such students in private day school settings that ensure a consistent set of comparable and compatible data relative to such data of students enrolled in the public schools in Virginia and who have an individualized education plan. The advisory workgroup shall include a representative number of various stakeholders that includes, but is not limited to, private day schools, local school divisions, associations that represent private providers, and others as necessary. The advisory group shall assist in the				

ITEM 130.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

development of data collection protocols, requirements, and outcome reporting mechanisms. The relevant data shall be provided to the department annually by each private provider that receives state funding for the purpose of providing services as prescribed in such student's individualized education plan.

3. The department shall collect outcome data for private day special education schools and, if warranted, other state agencies shall provide appropriate support to facilitate the collection of such data. All public school divisions that have students enrolled in such a private provider facility shall include in their contract for services with the private provider a requirement for the department to receive the data necessary to satisfy the data collections and subsequent reporting requirements. The department shall report annually on the outcome data for students enrolled in special education private day schools to Chairs of the House Appropriations, House Education, Senate Finance and Appropriations, and Senate Education and Health Committees by the first day of the regular General Assembly Session.

4. The Department of Education shall enter into a data sharing Memorandum of Understanding with the Office of Children's Services to allow linkage of specific student data to specific private day schools.

5. The Department of Education and the Office of Children's Services shall have authority to implement these changes prior to the completion of any regulatory process undertaken in order to effect such changes.

6. The Department of Education shall collect and publish data annually from each private special education day school on: (i) the number of teachers who are not fully endorsed in the content that they are teaching; (ii) the number of teachers who have less than one year of classroom experience; (iii) the number of teachers who are provisionally licensed; (iv) the type of academic credentials attained by each teacher and in what subjects; (v) the number of career and technical education credentials conferred by each school on its graduating students in each of the three prior academic years; (vi) each school's accreditation status, including the accrediting body; and (vii) the number of incidents of restraint and seclusion occurring in each of the previous three academic years.

H. The Board of Education shall develop and promulgate regulations for private special education day schools on restraint and seclusion that establish the same requirements for restraint and seclusion as those for public schools.

I. The Department of Education shall revise the state's special education complaint procedures and practices to ensure the Department requires and enforces corrective actions that (i) achieve full and appropriate remedies for school divisions' non-compliance with special education laws and regulations, including, at a minimum, requiring school divisions to provide compensatory services to students with disabilities when the Department determines divisions did not provide legally obligated services; and (ii) ensure that relevant personnel understand how to avoid similar non-compliance in the future.

131.	Pupil Assessment Services (18400).....			\$39,821,793	\$39,821,793
	Test Development and Administration (18401).....	\$39,821,793	\$39,821,793		
	Fund Sources: General.....	\$28,720,779	\$28,720,779		
	Special.....	\$284,012	\$284,012		
	Federal Trust.....	\$10,817,002	\$10,817,002		

Authority: § 22.1-253.13:3, sections C and E, Code of Virginia; P.L. 107-110, Federal Code.

A. Out of this appropriation, \$25,380,678 the first year and \$25,380,678 the second year from the general fund is provided to support the costs of contracts for test development, administration, scoring, and reporting as well as other program-related costs of the Standards of Learning testing program.

B. Out of this appropriation, \$1,551,416 the first year and \$1,551,416 the second year from the general fund is provided for continued computer adaptive test transition and revision.

ITEM 131.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>C. Notwithstanding any contrary provisions of law, the Department of Education shall not be required to administer the Stanford 9 norm-referenced test.</p> <p>D. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from the general fund is provided for assessment related materials for a verified credit in high school history and social science. In establishing graduation requirements, the State Board of Education shall require students to earn one verified credit in history and social science. Such verified credit shall be earned by (i) the successful completion of a state-developed end-of-course Standards of Learning assessment; (ii) achievement of a passing score on a Board-approved standardized test administered on a statewide, multistate, or international basis that measures content that incorporates or exceeds the Standards of Learning content in the course for which the verified credit is given; (iii) achievement of criteria for the receipt of a locally awarded verified credit from the local school board in accordance with criteria established in Board guidelines when the student has not passed a corresponding Standards of Learning assessment; or (iv) successful completion of assessments that include state-developed performance tasks scored locally in accordance with Board guidelines using state-developed rubrics.</p>				
132.	School and Division Assistance (18500).....		\$7,872,387	\$9,550,128
	School Improvement (18501).....	\$2,820,403	\$4,498,144	
	School Nutrition (18502).....	\$4,573,844	\$4,573,844	
	Pupil Transportation (18503).....	\$478,140	\$478,140	
	Fund Sources: General.....	\$3,356,313	\$5,034,054	
	Special.....	\$31,010	\$31,010	
	Federal Trust.....	\$4,485,064	\$4,485,064	
<p>Authority: School Improvement: § 22.1-253.13:1 et seq., Code of Virginia; P. L. 107-110, Federal Code.</p> <p>School Nutrition: §§ 22.1-24, 22.1-89.1, and 22.1-207.3, Code of Virginia; P.L. 79-396, P.L. 89-642, P.L. 95-627, as amended, P.L. 108-265, Federal Code.</p> <p>Pupil Transportation: Title 22.1, Chapter 12, and Title 46.2, Code of Virginia; P. L. 103-272 and P.L. 109-20, Federal Code.</p> <p>A. This appropriation includes \$1,100,183 the first year and \$1,100,183 the second year from the general fund for contractual services related to assisting schools that do not meet the Standards of Accreditation as prescribed by the Board of Education.</p> <p>B. Notwithstanding the provisions of § 2.2-1502.1, Code of Virginia, the Board of Education, in cooperation with the Department of Planning and Budget, is authorized to invite a school division to participate in the school efficiency review program described in § 2.2-1502.1, Code of Virginia, as a component of a division level academic review pursuant to § 22.1-253.13:3, Code of Virginia.</p> <p>C. Out of this appropriation, \$744,720 the first year and \$2,422,461 the second year from the general fund is provided to expand the Office of School Quality to establish a regional continuous improvement model of support for school divisions not meeting state accreditation standards and federal accountability standards.</p>				
133.	Technology Assistance Services (18600).....		\$34,164,095	\$35,548,272
	Instructional Technology (18601).....	\$660,461	\$660,461	
	Distance Learning and Electronic Classroom (18602)	\$33,503,634	\$34,887,811	
	Fund Sources: General.....	\$6,021,594	\$883,594	
	Special.....	\$105,000	\$105,000	
	Trust and Agency.....	\$27,982,225	\$34,504,402	
	Federal Trust.....	\$55,276	\$55,276	
<p>Authority: Instructional Technology: §§ 22.1-20.1, 22.1-70.2, 22.1-199.1, 22.1-253.13:1 through 22.1-253.13:8, Code of Virginia; P.L. 107-110, Federal Code.</p> <p>Distance Learning and Electronic Classroom: § 22.1-212.2, Code of Virginia.</p>				



ITEM 133.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

Virtual Virginia Payments

1. From appropriations in this Item, the Department of Education shall provide assistance for the Virtual Virginia program.
2. This appropriation includes \$498,000 the first year and \$498,000 the second year from the general fund to support the Virtual Virginia full-time program for 200 students in grades nine through 12.
3. This appropriation includes \$330,000 the first year and \$330,000 the second year from the general fund to support the virtual mathematics outreach program.
4. The local share of costs associated with the operation of the Virtual Virginia program shall be computed using the composite index of local ability-to-pay.
5. The Department of Education shall maintain a plan to support the per-student, per-course fee schedule for local school divisions to participate in Virtual Virginia (VVA) coursework for elementary, middle, and high school students. Such fee schedule plan shall provide (i) an allotment of slots, determined by the Department, per course to a school division free of charge, and (ii) for any slots a school division wishes to use beyond the free slots, a per-course, per-student fee that may include discounts for school divisions based upon the composite index of local ability to pay. The department shall also include in its plan the current student participation enrollment by grade level in each VVA course, the number of students enrolled in VVA courses that a fee of any kind is charged and how such fee is currently paid for in each participating school division.

134.	Teacher Licensure and Education (56600).....		\$3,074,105	\$3,074,105
	Teacher Licensure and Certification (56601).....	\$2,303,614		
	Teacher Education and Assistance (56602).....	\$770,491		
	Fund Sources: General.....	\$991,754		
	Special.....	\$2,082,351		

Authority: Teacher Licensure and Certification: §§ 22.1-16, 22.1-298.1, 22.1-299, 22.1-299.2, 22.1-302, 22.1-303, 22.1-305.2, 22.1-316 to 22.1-318, Code of Virginia; P.L. 107-110, Federal Code.

Teacher Education and Assistance: §§ 22.1-290; 22.1-290.01; 22.1-290.1, 22.1-298, 22.1-305.2, 22.1-305.1, Code of Virginia; P. L. 108-446 and P. L. 107-110, Federal Code.

A. Proceeds from the fee schedule for the issuance of teaching certificates shall be utilized to defray all, or any part of, the expenses incurred by the Department of Education in issuing or accounting for teaching certificates. The fee schedule shall take into account the actual costs of issuing certificates. Any portion of the general fund appropriation for this Item may be supplemented by such fees.

B. The Board of Education is authorized to approve changes in the licensure fee amounts charged to school personnel pursuant to 8VAC20-22-40 A.2.

C. In furtherance of the General Assembly's interest in understanding trends in Virginia's teaching work force, teacher turnover rates, and the market for teachers, as evidenced by such metrics as the number of applicants per position, the Department shall develop and provide a model exit questionnaire that Virginia school divisions may administer to their exiting teachers.

D. Out of this appropriation, \$93,084 the first year and \$93,084 the second year from the general fund is provided to support local school division access to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse to research educator misconduct.

E. Out of this appropriation, \$169,000 the first year and \$169,000 the second year from the general fund is provided to automate the teacher licensure application and intake process.

F. Out of this appropriation, \$395,991 the first year and \$395,991 the second year from the

ITEM 134.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>general fund is provided to strengthen the Department of Education's role in helping school divisions with the most substantial teacher recruitment and retention challenges and to implement a statewide strategic plan for recruiting and retaining teachers in the most critical shortage areas.</p> <p>G. Statewide non-profit organizations that are affiliated with established national professional associations shall be permitted to apply for state funds to support teacher training for educators.</p>				
135.	Administrative and Support Services (19900).....		\$23,128,204	\$23,008,204
	General Management and Direction (19901).....	\$6,082,063		\$6,082,063
	Information Technology Services (19902).....	\$10,686,016		\$10,686,016
	Accounting and Budgeting Services (19903).....	\$3,459,944		\$3,459,944
	Policy, Planning, and Evaluation Services (19929).....	\$2,900,181		\$2,780,181
	Fund Sources: General.....	\$20,621,458		\$20,501,458
	Special.....	\$2,409,362		\$2,409,362
	Federal Trust.....	\$97,384		\$97,384

Authority: Article VIII, Sections 2, 4, 5, 6, 8, Constitution of Virginia; Title 2.2, Chapters 10, 12, 29, 30, 31, and 32; Title 22.1, 22.1-8 through 20, 22.1-21 through 24; Title 51.1, Chapters 4, 5, 6.1, and 11; Title 60.2, Chapters 60.2-100, 60.2-106; Title 65.2, Chapters 1, 6, and 9, Code of Virginia; P.L. 108-446, P.L. 107-110, Federal Code.

A. Out of this appropriation, \$9,000 the first year and \$9,000 the second year from the general fund is designated to support annual membership dues to the Southern Regional Education Board. In addition, \$5,000 the first year and \$5,000 the second year from the general fund is designated to pay registration and travel expenses of citizens appointed as Virginia commissioners for the Southern Regional Education Board.

B. Out of this appropriation \$79,000 the first year and \$79,000 the second year from the general fund is provided for the fees and travel expenses associated with the Interstate Compact on Educational Opportunity for Military Children, established pursuant to Chapter 187, of the 2009 Acts of Assembly.

C. The Department of Education is authorized to collect proceeds from the sale of educational resources it has developed, such as technology applications, on-line course content, assessments, and other educational content, to out-of-state individuals or entities and to in-state, for-profit entities. The Department of Education is further authorized to deposit such proceeds in a non-reverting special fund account established in its financial records for this purpose. Net proceeds from such sales shall be expended by the Department of Education to further develop existing educational resources or to create new educational resources for the benefit of the commonwealth's public schools and which may also be sold under the provisions of this paragraph. The Secretary of Administration shall authorize any licensing agreements executed by the Department of Education pursuant to this paragraph.

D. Out of this appropriation, \$34,625 the first year and \$34,625 the second year from the general fund shall be used to provide performance evaluation training to teachers, principals, division superintendents, and other affected school division personnel in support of the transition from continuing employment contracts to annual employment contracts for teachers and principals.

E. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund is provided for the Board of Education, in consultation with the Standards of Learning Innovation Committee, to continue redesigning the School Performance Report Card so that it is more effective in communicating to parents and the public regarding information about the status and achievements of the schools and school divisions.

F. Out of this appropriation, \$300,000 the first year and \$300,000 the second year is provided from the general fund for the Department of Education to develop a growth scale for the existing Standards of Learning mathematics and reading assessments. This growth scale should facilitate data-driven school improvement efforts and support the state's accountability and accreditation systems.

ITEM 135.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>G. Out of the amounts in this item, the Department of Education shall develop and administer biennially to individuals holding a license from the Department in each public elementary and secondary school in the Commonwealth a voluntary and anonymous school personnel survey to evaluate school-level teaching conditions and the impact such conditions have on teacher retention and student achievement. Such survey may include questions regarding school leadership, teacher leadership, teacher autonomy, demands on teachers' time, student conduct management, professional development, instructional practices and support, new teacher support, community engagement and support, and facilities and other resources. The Superintendent of Public Instruction shall report the results of any school personnel survey to the Chairs of the House Committees on Appropriations and Education and to the Senate Committees on Finance and Appropriations and Education and Health annually before the first day of each General Assembly Regular Session.</p>				
<p>H. Out of this appropriation, \$120,000 the first year from the general fund is provided for the Department of Education to continue implementation of the 2021-2022 school year pilot program to more comprehensively supervise school division compliance with a subset of key standards by requiring (i) the submission of more comprehensive compliance information, (ii) selective independent verification of compliance, (iii) monitoring of corrective action implementation, and (iv) analysis of compliance trends and issues. The Department shall submit a report on the results of this pilot program to the Board of Education and House Education and Appropriations Committees and Senate Education and Health and Finance and Appropriations Committees no later than November 30, 2022.</p>				
<p>I. Out of this appropriation, \$132,932 the first year from the general fund and \$132,932 the second year from the general fund is provided for the Department of Education, in consultation with the Department of General Services, to develop or adopt and maintain a data collection tool to assist each school board to determine the relative age of each public school building in the local school division and the amount of maintenance reserve funds that are necessary to restore each such building. The Department of Education shall transfer these funds or a portion of these funds to the Department of General Services if the Department of Education determines that the Department of General Services shall develop and collect maintenance reserve data from each local school division. The Department of Education shall report the data on an annual basis as part of the Superintendent's Annual Report.</p>				
<p>J. For purposes of determining the date of triennial review for schools that were previously "Accredited" for three consecutive years and for counting consecutive years towards earning triennial accreditation review pursuant to § 22.1-253.13:3 of the Code of Virginia, the years for which schools received an "Accreditation Waived" status due to the COVID-19 pandemic shall not be included in the three year count. Any student outcome data collected that would have informed accreditation for the two years in which accreditation was waived shall continue to be publicly reported by the Virginia Department of Education.</p>				
Total for Department of Education, Central Office Operations.....			<b>\$417,957,016</b>	<b>\$425,931,574</b>
General Fund Positions.....			167.17	181.17
Nongeneral Fund Positions.....			335.83	335.83
Position Level.....			503.00	517.00
Fund Sources: General.....			\$80,183,375	\$81,635,756
Special.....			\$5,806,735	\$5,806,735
Commonwealth Transportation.....			\$283,854	\$283,854
Trust and Agency.....			\$27,987,225	\$34,509,402
Federal Trust.....			\$303,695,827	\$303,695,827
<b>Direct Aid to Public Education (197)</b>				
136.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....		\$75,865,982	\$60,916,982

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Financial Assistance for Supplemental Education (14304).....	\$75,865,982	\$60,916,982		
Fund Sources: General.....	\$75,865,982	\$60,916,982		

Authority: Discretionary Inclusion.

**Appropriation Detail of Educational, Cultural, Community, and Artistic Affairs (14300)**

<b>Supplemental Education Assistance Programs (14304)</b>	<b>FY 2023</b>	<b>FY 2024</b>
Achievable Dream - Newport News	\$500,000	\$500,000
Achievable Dream - Virginia Beach	\$500,000	\$500,000
Active Learning Grants	\$250,000	\$250,000
Advancing Computer Science Education	\$2,700,000	\$1,350,000
American Civil War Museum	\$500,000	\$0
Blue Ridge PBS	\$850,000	\$350,000
Career and Technical Education Regional Centers	\$660,000	\$660,000
Career and Technical Education Resource Center	\$298,021	\$298,021
Career and Technical Education Student Organizations	\$718,957	\$718,957
Career Council at Northern Neck Career & Technical Center	\$60,300	\$60,300
Chesterfield Recovery High School	\$864,000	\$500,000
Communities in Schools (CIS)	\$2,004,400	\$2,004,400
Community Schools Fund	\$10,000,000	\$0
Computer Science Teacher Training	\$550,000	\$550,000
Denbigh Aviation Academy	\$275,000	\$0
Dolly Parton's Imagination Library For Kids	\$481,180	\$1,157,065
Early Childhood Educator Incentive	\$10,000,000	\$10,000,000
EduTutorVA	\$100,000	\$100,000
eMediaVA	\$1,500,000	\$1,000,000
Get Schooled - Center in the Square Roanoke	\$150,000	\$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	\$300,000
Milk and Cookies (MAC) Children's Program	\$250,000	\$250,000
National Board Certification Program	\$5,035,000	\$5,035,000
PBS Appalachia	\$500,000	\$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	\$987,500	\$987,500
RISE Foundation of Waynesboro	\$250,000	\$0

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
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)	\$1,181,975			\$1,181,975
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 Recruitment & Retention Grant Programs	\$2,181,000			\$2,181,000
Teacher Residency Program	\$2,250,000			\$2,250,000
Teacher Workforce Initiatives	\$1,500,000			\$0
Van Gogh Outreach Program	\$71,849			\$71,849
Virginia Boys State	\$50,000			\$0
Virginia Early Childhood Foundation (VECF)	\$8,221,900			\$10,986,015
Virginia Girls State	\$50,000			\$0
Virginia Holocaust Museum	\$50,000			\$0
Virginia Museum of History and Culture	\$250,000			\$0
Virginia Reading Corps	\$600,000			\$600,000
Virginia Student Training and Refurbishment (VA STAR) Program	\$300,000			\$300,000
Vision Screening Grants	\$741,000			\$391,000
VPM Media Corporation	\$500,000			\$0
Western Virginia Public Education Consortium	\$50,000			\$0
Wolf Trap Model STEM Program	\$1,000,000			\$1,300,000
Youth Entrepreneurship Pilot Program- Hampton Roads	\$1,500,000			\$0
<b>Total</b>	<b>\$75,865,982</b>			<b>\$60,916,982</b>

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.

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
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 \$5,035,000 the first year and \$5,035,000 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 or program 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				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

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 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 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 annually to the House Committees on Education and Appropriations and the Senate Committees on Finance and Appropriations 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. 1. Out of this appropriation, the Department of Education shall provide \$987,500 the first year and \$987,500 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,

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
<p>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, Wythe, and Madison/Orange 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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>M. Targeted Extended/Enriched School Year and Year-round School Grants Payments</p>				
<p>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.</p>				
<p>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</p>				



ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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 Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than November 1 each year.</p>				
<p>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.</p>				
<p>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.</p>				
<p>O. Out of this appropriation, \$1,000,000 the first year and \$1,300,000 the second year from the general fund is provided to the Wolf Trap Foundation for the Performing Arts to administer STEM Arts and early literacy programs for preschool, kindergarten, and first grade students in Accomack, Albemarle, Arlington, Chesterfield, Fairfax, Henrico, Loudoun, Norfolk, Petersburg, Richmond, Suffolk, and Wythe Public Schools. The model will also support growth in the 5C skills identified in the Profile of a Virginia Graduate. Within this appropriation, funds may support the phase in of services into currently unserved divisions in an equitable manner, with a special focus on capacity building and establishing new services in Regions 3, 6, or 8. The Wolf Trap Foundation shall work with</p>				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
the Department of Education and currently served divisions to determine need and phase programs into unserved divisions. The Wolf Trap Foundation shall report annually to the Chairs of the House Committee on Education and the Senate Committee on Education and Health and the Superintendent of Public Instruction on its activities, including number of divisions served, number of students served, number of educators, and number of families impacted.				
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, \$2,250,000 the first year and \$2,250,000 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.				
1. Of this amount, \$500,000 the first year and \$500,000 the second year is provided for Virginia Commonwealth University to establish a pilot program to support 20 special education residents and 20 elementary school residents in partnership with the Richmond Teacher Residency program. Virginia Commonwealth University shall include this pilot program in its annual report to the Department of Education, pursuant to paragraph Q.2. of this Item.				
2. 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 Chairs of the House Appropriations and Senate Finance and Appropriations 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, \$8,221,900 the first year and \$10,986,015 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, \$6,971,900 the first year and \$9,736,015 the second year from the general fund is provided for an initiative to support public-private delivery of pre-kindergarten services for at-risk three- and four-year-old children each year and to support a pilot of 200 infant and toddler slots each year. Programs must provide full-day or half-day and, at least, school-year services. The Department of Education is authorized to prorate payment for this program so as not to exceed available appropriation.				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>e) Local plans must indicate the number of at-risk 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) children with disabilities or delays who are eligible for special education services under the Individuals with Disabilities Education Act, regardless of household income. 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. Localities that can demonstrate that more than 15 percent of slots are needed to meet the needs of at-risk children in their community may apply for a waiver from the Superintendent of Public Instruction to use a larger percentage of their slots. Localities must demonstrate that increasing eligibility will enable the maximization of federal funds and will not have a negative impact on access for other individuals currently being served.</p>				
<p>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.</p>				
<p>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.</p>				
<p>h) Pilot providers shall provide information to the Department of Education as necessary to fulfill the reporting requirement established.</p>				
<p>T. This appropriation includes \$500,000 the first year and \$500,000 the second year from</p>				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

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, \$200,000 the first year and \$200,000 the second year from the general fund is provided for STEM Competition Team Grants. Grants may not exceed \$5,000 each.

V. Out of this appropriation, \$1,181,975 the first year and \$1,181,975 the second year from the general fund is provided to support a multi-platform STEM education engagement program and research study and other educational programs at the Virginia Air & Space Center.

W. 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 Chairs of the Senate Finance and Appropriations and House Appropriations Committees.

X. 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.

Y. 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.

Z. Out of this appropriation, \$741,000 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

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p>				
<p>AA. 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.</p>				
<p>BB. 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.</p>				
<p>2. CodeVA shall report, no later than October 1, each year to the Chairmen of the House Education and Senate Education &amp; 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.</p>				
<p>CC. To strengthen quality, attract new educators, and reduce turnover in hard-to-serve preschool classrooms, \$10,000,000 the first year and \$10,000,000 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 and in support of the implementation of the Unified Measurement and Improvement System, known as VQB5, established pursuant to § 22.1-289.05, Code of Virginia. The Virginia Department of Education shall set the specific guidelines for the program and funds.</p>				
<p>DD. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund shall be provided for grants to school divisions for encouraging active-in class, remote and hybrid 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 activities that integrate math and English Standards of Learning content into movement-rich activities that can be used at school, home and on all devices (i.e. computers, tablets, and phones).</p>				
<p>EE. Out of this appropriation, \$850,000 the first year and \$350,000 the second year from the general fund is provided to Blue Ridge PBS for educational outreach programming.</p>				
<p>FF. Out of this appropriation, \$300,000 the first year and \$300,000 the second 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</p>				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
<p>shall report by August 1, 2022 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.</p>				
<p>GG. 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-private partnerships between local school divisions and the Virginia Alliance of YMCAs to expand student participation opportunities in existing summer Power Scholars Academies in such partnered school divisions.</p>				
<p>HH. Out of this appropriation, \$718,957 the first year and \$718,957 the second year from the general fund is provided to support Career and Technical Education Student Organizations. These Student Organizations extend Career and Technical Education in Virginia through networks of programs, business and community partnerships, and leadership experiences at the school, state, and national levels and provide Virginia students with opportunities to apply academic, technical, and employability knowledge and skills necessary in today's workforce.</p>				
<p>II. Out of this appropriation, \$1,500,000 the first year and \$1,000,000 the second year from the general fund is provided for the Hampton Roads Education Telecommunications Association's eMediaVA program for statewide digital content development, online learning, and related support services. All digital content produced and delivery of online learning shall meet criteria established by the Department of Education, meet or exceed applicable Standards of Learning, and be correlated to such state standards. The eMedia VA program shall incorporate consultation with division superintendents or their designated representatives to assess school divisions' needs for digital content, online learning, teacher training, and support services that advance technology integration into the K-12 classroom, as well as for additional educational resources that may be made available to school divisions throughout the Commonwealth. The Hampton Roads Educational Telecommunications Association, in partnership with Blue Ridge PBS, VPM Media Corporation, and PBS Appalachia, shall report by June 30, 2023 to the Secretary of Education, the Department of Education, and the General Assembly on a plan to share educational resources and content among these organizations in an effort to reduce duplication of efforts in content and curriculum development.</p>				
<p>JJ. Out of this appropriation, \$2,700,000 the first year and \$1,350,000 the second year from the general fund is provided to support the advancement of computer science education and implementation of the Commonwealth's computer science standards across the public education continuum. These funds are intended to provide high quality professional development to current and future teachers; create, curate, and disseminate high quality computer science curriculum, instructional resources, and assessments; support summer and after-school computer science related programming for students; and facilitate meaningful career exposure and work-based learning opportunities in computer science fields for high school students. Funds shall be disbursed through a competitive grant process and shall prioritize at-risk students and schools. The Department of Education shall develop a process to award these funds in accordance with the provisions of this language.</p>				
<p>KK. Out of this appropriation, \$1,500,000 the first year from the general fund is provided to increase educator recruitment and retention and the supply of qualified educators and support positions. These funds shall be used to support: (i) provisionally-licensed educators and other school staff to earn or renew full state teaching licensure; (ii) teacher mentoring for early career teachers; (iii) recruitment and retention efforts for critical vacancies and shortages; and (iv) professional development opportunities to educators. The Department of Education shall develop a process to award these funds to divisions and shall focus efforts on divisions with high vacancies and critical shortages. The Department may also use these funds to supplement any program in this item related to educator preparation, retention, or recruitment; however, funds shall not be committed to any program with a multi-year commitment. Any balances remaining shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support these efforts in the second year.</p>				
<p>LL. Out of this appropriation, \$500,000 the first year from the general fund is provided to VPM Media Corporation to support curriculum development and the development of learning assets.</p>				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
MM. Out of this appropriation, \$10,000,000 the first year from the general fund is provided for grants to school divisions and Communities in Schools and its affiliates to support the development and implementation of community schools initiatives that provide a framework for integrated student supports, expanded and enriched learning time and opportunities, active family and community engagement, and collaborative leadership and practices. The Department of Education shall award these grants in consultation with a stakeholder workgroup convened to focus on community schools. The workgroup shall include representatives from local school divisions, existing Virginia providers of community schools models, and other relevant stakeholders. Grant awards shall prioritize eligible programs serving schools that demonstrate significant need, including Title I-eligible schools. Eligible programs shall reflect the recommendations outlined in the Virginia Community School Framework (2019) and shall include identification of a lead partner agency, including a public or private agency or community-based organization, to help coordinate programs and services; use of research- and evidence-based strategies and best practices to incorporate integrated student supports that address non-academic and out-of-school barriers to learning as a means to enhance student success; a dedicated community school coordinator for each school included in the proposal; and use of rigorous and equitable evaluation systems to assess student and school outcomes and overall effectiveness of the community school initiative. Grants may be awarded for the purposes of planning, including conducting a needs-assessment, and for the purposes of implementation. Any unobligated balance for this program on June 30, 2023, shall be reappropriated for expenditure in the second year for the same purpose.				
NN. Out of this appropriation, \$1,500,000 the first year from the general fund is provided to Portsmouth Public Schools to establish a Youth Entrepreneurship Pilot Program in partnership with institutions of higher education and community partners in Hampton Roads.				
OO. Out of this appropriation, \$500,000 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 American Civil War.				
PP. Out of this appropriation, \$150,000 the first year from the general fund is provided to Get Schooled Center in the Square program in Roanoke for science, math, and agriculture programming for public school students.				
QQ. 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 Virginia Beach School Division.				
RR. Out of this appropriation, \$481,180 the first year and \$1,157,065 the second year from the general fund is provided to support Dolly Parton's Imagination Library for Kids program.				
SS. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund is provided to EduTutorVA to support targeted tutoring to help K-12 students recover from COVID-19 learning gaps.				
TT. Out of the appropriation, \$50,000 the first year from the general fund is provided to Virginia Boys State of The American Legion to support civic education programming.				
UU. Out of this appropriation, \$50,000 the first year from the general fund is provided to the Western Virginia Public Education Consortium for collaborative work with Radford University, Virginia Tech, and New River Community College to address teacher vacancies in the consortium.				
VV. Out of this appropriation, \$250,000 the first year from the general fund is provided to the Virginia Museum of History and Culture and partner institutions of public higher education 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 the history of free Blacks in Virginia prior to				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

the Civil War.

WW. Out of this appropriation, \$250,000 the first year and \$250,000 the second year is provided to the Milk and Cookies (MAC) Children's Program to support expansion of the support program for children of parents who are incarcerated.

XX. Out of this appropriation, \$500,000 the first year from the general fund is provided to PBS Appalachia to support curriculum development and the development of learning assets.

YY. Out of this appropriation, \$50,000 the first year from the general fund is provided to the Virginia Holocaust Museum, in support of the Alexander Lebenstein Teacher Education Institute, to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences, educational content, and exhibitions for students to engage in educational content, aligned to Virginia's Standards of Learning, related to the history of the Holocaust and other genocides.

ZZ. Out of the appropriation, \$50,000 the first year from the general fund is provided to Virginia Girls State of The American Legion Auxiliary to support civic education programming.

AAA. Out of this appropriation, \$864,000 the first year and \$500,000 the second year from the general fund is provided to Chesterfield County Public Schools 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 shall be provided academic, emotional, and social support needed to progress toward earning a high school diploma and reintegrating into a traditional high school setting. Chesterfield County Public Schools shall submit a report regarding the planning, implementation, and outcomes of the recovery high school to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by December 1 each year.

BBB. Out of this appropriation, \$250,000 the first year from the general fund is provided to the RISE Foundation of Waynesboro for preventive services for at-risk youth.

CCC. Out of this appropriation, \$275,000 the first year from the general fund is provided to the Denbigh Aviation Academy.

137.	State Education Assistance Programs (17800).....			\$9,772,313,087	\$9,236,167,746
	Standards of Quality for Public Education (SOQ) (17801).....	\$7,105,647,051	\$7,049,123,331		
	Financial Incentive Programs for Public Education (17802).....	\$1,826,488,727	\$1,366,432,177		
	Financial Assistance for Categorical Programs (17803).....	\$55,505,594	\$55,940,523		
	Distribution of Lottery Funds (17805).....	\$784,671,715	\$764,671,715		
	Fund Sources: General.....	\$8,935,387,072	\$8,469,105,801		
	Special.....	\$895,000	\$895,000		
	Commonwealth Transportation.....	\$1,359,300	\$1,495,230		
	Trust and Agency.....	\$834,671,715	\$764,671,715		

Authority: Standards of Quality for Public Education (SOQ) (17801): Article VIII, Section 2, Constitution of Virginia; Chapter 667, Acts of Assembly, 1980; §§ 22.1-176 through 22.1-198, 22.1-199.1, 22.1-199.2, 22.1-213 through 22.1-221, 22.1-227 through 22.1-237, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.01, Code of Virginia; Title 51.1, Chapters 1, 5, 6.2, 7, and 14, Code of Virginia; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 98-524, as amended, Federal Code.

Financial Incentive Programs for Public Education (17802): §§ 22.1-24, 22.1-289.1 through 22.1-318, Code of Virginia; P.L. 79-396, as amended; P.L. 89-10, as amended; P.L. 89-642, as amended; P.L. 108-265, as amended; Title II P.L. 99-159, as amended, Federal Code.

Financial Assistance for Categorical Programs (17803): Discretionary Inclusion; Treaty of



ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

1677 between Virginia and the Indians; §§ 22.1-3.4, 22.1-108, 22.1-199 through 22.1-212.2:2, 22.1-213 through 22.1-221, 22.1-223 through 22.1-237, 22.1-254, Code of Virginia; P.L. 89-10, as amended; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 94-588; P.L. 95-561, as amended; P.L. 98-211, as amended; P.L. 98-524, as amended; P.L. 99-570; P.L. 100-297, as amended; P.L. 102-73, as amended; P.L. 105-220, as amended, Federal Code.

Distribution of Lottery Funds (17805): §§ 58.1-4022 and 58.1-4022.1, Code of Virginia

**Appropriation Detail of Education  
Assistance Programs (17800)**

<b>Standards of Quality (17801)</b>	<b>FY 2023</b>	<b>FY 2024</b>
Basic Aid	\$3,733,489,214	\$3,762,257,759
Sales Tax	\$1,739,000,000	\$1,640,900,000
Textbooks	\$89,797,176	\$90,101,186
Vocational Education	\$71,320,877	\$71,249,810
Gifted Education	\$38,513,933	\$38,695,346
Special Education	\$427,816,140	\$429,073,747
Prevention, Intervention, and Remediation	\$125,697,172	\$125,949,775
English as a Second Language	\$98,474,887	\$106,864,471
VRS Retirement (includes RHCC)	\$520,016,134	\$521,728,628
Social Security	\$223,067,461	\$223,798,638
Group Life	\$15,728,679	\$15,778,593
Remedial Summer School	\$22,725,378	\$22,725,378
<b>Total</b>	<b>\$7,105,647,051</b>	<b>\$7,049,123,331</b>
 <b>Incentive Programs (17802)</b>		
Compensation Supplement	\$231,754,237	\$525,462,688
Governor's Schools	\$21,285,278	\$22,849,583
At-Risk Add-On (split funded)	\$178,977,243	\$209,141,908
Clinical Faculty	\$318,750	\$318,750
Career Switcher Mentoring Grants	\$279,983	\$279,983
Special Education - Endorsement Program	\$437,186	\$437,186
Special Education – Vocational Education	\$200,089	\$200,089
Virginia Workplace Readiness Skills Assessment	\$308,655	\$308,655
Math/Reading Instructional Specialists Initiative	\$1,834,538	\$1,834,538
Early Reading Specialists Initiative	\$3,476,790	\$3,476,790
Breakfast After the Bell Incentive	\$1,074,000	\$1,074,000
School Meals Expansion	\$4,100,000	\$4,100,000
Virginia Preschool Initiative - Per Pupil Amount	\$115,987,950	\$116,283,670
Early Childhood Expansion	\$34,368,036	\$45,116,920
Virginia Preschool Initiative - Provisional Teacher Licensure	\$306,100	\$306,100
Alleghany County - Covington City School Division Consolidation Incentive	\$600,000	\$600,000
Hold Harmless for Rebenchmarking Data Affected by COVID-19	\$177,079,892	\$177,441,317
Supplemental General Fund Payment in	\$104,100,000	\$257,200,000

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Lieu of Sales Tax on Food and Personal Hygiene Products				
School Construction Grants	\$400,000,000			\$0
School Construction Assistance Program	\$450,000,000			\$0
College Partnership Lab Schools	\$100,000,000			\$0
<b>Total</b>	<b>\$1,826,488,727</b>		<b>\$1,366,432,177</b>	
<b>Categorical Programs (17803)</b>				
Adult Education	\$1,051,800		\$1,051,800	
Adult Literacy	\$2,480,000		\$2,480,000	
American Indian Treaty Commitment	\$46,841		\$50,211	
School Lunch Program	\$5,801,932		\$5,801,932	
Special Education - Homebound	\$3,113,592		\$3,144,724	
Special Education - Jails	\$4,094,025		\$4,250,522	
Special Education - State Operated Programs	\$38,917,404		\$39,161,334	
<b>Total</b>	<b>\$55,505,594</b>		<b>\$55,940,523</b>	
<b>Lottery Funded Programs (17805)</b>				
At-Risk Add-On (split funded)	\$158,134,094		\$131,056,691	
Foster Care	\$12,661,313		\$12,878,410	
Special Education - Regional Tuition	\$85,831,709		\$90,831,709	
Early Reading Intervention	\$51,193,084		\$51,352,970	
Mentor Teacher	\$1,000,000		\$1,000,000	
K-3 Primary Class Size Reduction	\$141,268,750		\$141,778,274	
School Breakfast Program	\$9,637,895		\$11,898,741	
SOL Algebra Readiness	\$15,775,313		\$15,781,896	
Infrastructure and Operations Per Pupil Funds	\$276,361,274		\$276,361,272	
Regional Alternative Education	\$10,453,748		\$11,097,555	
Individualized Student Alternative Education Program (ISAEP)	\$2,247,581		\$2,247,581	
Career and Technical Education – Categorical	\$11,681,872		\$11,681,872	
Project Graduation	\$1,387,240		\$1,387,240	
Race to GED (NCLB/EFAL)	\$2,410,988		\$2,410,988	
Path to Industry Certification (NCLB/EFAL)	\$1,831,464		\$1,831,464	
Supplemental Basic Aid	\$1,045,390		\$1,075,052	
Supplemental Support for Accomack and Northampton	\$1,750,000		\$0	
<b>Total</b>	<b>\$784,671,715</b>		<b>\$764,671,715</b>	
Technology – VPSA	\$56,348,000		\$56,672,000	
Security Equipment - VPSA	\$12,000,000		\$12,000,000	

Payments out of the above amounts shall be subject to the following conditions:

#### A. Definitions

1. "March 31 Average Daily Membership," or "March 31 ADM" - The responsible school division's average daily membership for grades K-12 including (1) handicapped students ages 5-21 and (2) students for whom English is a second language who entered school for the first

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>time after reaching their twelfth birthday, and who have not reached twenty-two years of age on or before August 1 of the school year, for the first seven (7) months (or equivalent period) of the school year through March 31 in which state funds are distributed from this appropriation. Preschool and postgraduate students shall not be included in March 31 ADM.</p>				
<p>a. School divisions shall take a count of September 30 fall membership and report this information to the Department of Education no later than October 15 of each year.</p>				
<p>b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to the Department of Education shall be calculated using March 31 ADM unadjusted for half-day kindergarten programs, estimated at 1,211,947.40 the first year and 1,216,691.50 the second year. March 31 ADM for half-day kindergarten shall be adjusted at 85 percent.</p>				
<p>c. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1 and who are enrolled in a public school on less than a full-time basis in any mathematics, science, English, history, social science, vocational education, health education or physical education, fine arts or foreign language course, or receiving special education services required by a student's individualized education plan, shall be counted in the funded fall membership and March 31 ADM of the responsible school division. Each course shall be counted as 0.25, up to a cap of 0.5 of a student.</p>				
<p>d. Students enrolled in an Individualized Student Alternative Education Program (ISAEP) pursuant to § 22.1-254 E shall be counted in the March 31 Average Daily Membership of the responsible school division. School divisions shall report these students separately in their March 31 reports of Average Daily Membership.</p>				
<p>2. "Standards of Quality" - Operations standards for grades kindergarten through 12 as prescribed by the Board of Education subject to revision by the General Assembly.</p>				
<p>3.a. "Basic Operation Cost" - The cost per pupil, including provision for the number of instructional personnel required by the Standards of Quality for each school division with a minimum ratio of 51 professional personnel for each 1,000 pupils or proportionate number thereof, in March 31 ADM for the same fiscal year for which the costs are computed, and including provision for driver, gifted, occupational-vocational, and special education, library materials and other teaching materials, teacher sick leave, general administration, division superintendents' salaries, free textbooks (including those for free and reduced price lunch pupils), operation and maintenance of school plant, transportation of pupils, instructional television, professional and staff improvement, remedial work, fixed charges and other costs in programs not funded by other state and/or federal aid.</p>				
<p>4.a. "Composite Index of Local Ability-to-Pay" - An index figure computed for each locality. The composite index is the sum of 2/3 of the index of wealth per pupil in unadjusted March 31 ADM reported for the first seven (7) months of the 2019-2020 school year and 1/3 of the index of wealth per capita (population estimates for 2019 as determined by the Weldon Cooper Center for Public Service of the University of Virginia) multiplied by the local nominal share of the costs of the Standards of Quality of 0.45 in each year. The indices of wealth are determined by combining the following constituent index elements with the indicated weighting: (1) true values of real estate and public service corporations as reported by the State Department of Taxation for the calendar year 2019 - 50 percent; (2) adjusted gross income for the calendar year 2019 as reported by the State Department of Taxation - 40 percent; (3) the sales for the calendar year 2019 which are subject to the state general sales and use tax, as reported by the State Department of Taxation - 10 percent. Each constituent index element for a locality is its sum per March 31 ADM, or per capita, expressed as a percentage of the state average per March 31 ADM, or per capita, for the same element. A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing all payments based on the composite index of local ability-to-pay. Each constituent index element for a locality used to determine the composite index of local ability-to-pay for the current biennium shall be the latest available data for the specified official base year provided to the Department of Education by the responsible source agencies no later than November 15, 2021.</p>				
<p>b. For any locality whose total calendar year 2019 Virginia Adjusted Gross Income is</p>				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>comprised of at least 3 percent or more by nonresidents of Virginia, such nonresident income shall be excluded in computing the composite index of ability-to-pay. The Department of Education shall compute the composite index for such localities by using adjusted gross income data which exclude nonresident income, but shall not adjust the composite index of any other localities. The Department of Taxation shall furnish to the Department of Education such data as are necessary to implement this provision.</p>				
<p>c.1) Notwithstanding the funding provisions in § 22.1-25 D, Code of Virginia, additional state funding for future consolidations shall be as set forth in future Appropriation Acts.</p>				
<p>2) In the case of the consolidation of Bedford County and Bedford City school divisions, the fifteen year period for the application of a new composite shall apply beginning with the fiscal year that starts on July 1, 2013. The composite index established by the Board of Education shall equal the lowest composite index that was in effect prior to July 1, 2013, of any individual localities involved in such consolidation, and this index shall remain in effect for a period of fifteen years, unless a lower composite index is calculated for the combined division through the process for computing an index as set forth above.</p>				
<p>3) If the composite index of a consolidated school division is reduced during the course of the fifteen year period to a level that would entitle the school division to a lower interest rate for a Literary Fund loan than it received when the loan was originally released, the Board of Education shall reduce the interest rate of such loan for the remainder of the period of the loan. Such reduction shall be based on the interest rate that would apply at the time of such adjustment. This rate shall remain in effect for the duration of the loan and shall apply only to those years remaining to be paid.</p>				
<p>d. When it is determined that a substantial error exists in a constituent index element, the Department of Education will make adjustments in funding for the current school year only in the division where the error occurred. The composite index of any other locality shall not be changed as a result of the adjustment. No adjustment during the biennium will be made as a result of updating of data used in a constituent index element.</p>				
<p>e. In the event that any school division consolidates two or more small schools, the division shall continue to receive Standards of Quality funding and provide for the required local expenditure for a period of five years as if the schools had not been consolidated. Small schools are defined as any elementary, middle, or high school with enrollment below 200, 300 and 400 students, respectively.</p>				
<p>5. "Required Local Expenditure for the Standards of Quality" - The locality's share based on the composite index of local ability-to-pay of the cost required by all the Standards of Quality minus its estimated revenues from the state sales and use tax dedicated to public education, those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and the amounts distributed in Item 137.C.5.b.2 for fiscal year 2023 and fiscal year 2024 and appropriated in this Item, which are returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item, collected by the Department of Education and distributed to school divisions in the fiscal year in which the school year begins.</p>				
<p>6. "Required Local Match" - The locality's required share of program cost based on the composite index of local ability-to-pay for all Lottery and Incentive programs, where required, in which the school division has elected to participate in a fiscal year. Amounts distributed as the Supplemental General Fund Payment in Lieu of Sales Tax on Food and Personal Hygiene Products, in Item 137.C.5.b.2, require no local match.</p>				
<p>7. "Planning District Eight" - The nine localities which comprise Planning District Eight are Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City.</p>				
<p>8. "State Share of the Standards of Quality" - The state share of the Standards of Quality (SOQ) shall be equal to the total funded SOQ cost for a school division less the school division's estimated revenues from the state sales and use tax dedicated to public education and the amounts distributed in Item 137.C.5.b.2 for fiscal year 2023 and fiscal year 2024 based on the latest yearly estimate of school age population provided by the Weldon Cooper</p>				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

Center for Public Service, adjusted for the state's share of the composite index of local ability to pay.

9. Entitlements under this Item that use school-level or division-level Free Lunch eligibility percentages to determine the entitlement amounts are based on the most recent data available as of the biennial rebenchmarking calculations made for the current biennium. For schools that participate in the Community Eligibility Provision program, such entitlements are based on the most recent Free Lunch eligibility data available prior to that school's enrollment in the Community Eligibility Provision program.

10. In the event that the general fund appropriations in this Item are not sufficient to meet the entitlements payable to school divisions pursuant to the provisions of this Item, the Department of Education is authorized to transfer any available general fund funds between these Items to address such insufficiencies. If the total general fund appropriations after such transfers remain insufficient to meet the entitlements of any program funded with general fund dollars, the Department of Education is authorized to prorate such shortfall proportionately across all of the school divisions participating in any program where such shortfall occurred.

11. The Department of Education is directed to apply a cap on inflation rates in the same manner prescribed in § 51.1-166.B, Code of Virginia, when updating funding to school divisions during the biennial rebenchmarking process.

12. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to combine the end-of-year Average Daily Membership (ADM) for those school divisions who have partnered together as a fiscal agent division and a contractual division for the purposes of calculating prevailing costs included in the Standards of Quality (SOQ).

13. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to include zeroes in the linear weighted average calculation of support non-personal costs for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

14. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) related to reported travel expenditures included the linear weighted average non-personal cost calculations for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

15. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) related to reported leases and rental and facility expenditures included the linear weighted average non-personal cost calculations for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

16. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to fund transportation costs using a 15 year replacement schedule, which is the national standard guideline, for school bus replacement schedule for the purpose of calculating funded transportation costs included in the Standards of Quality (SOQ).

17. To provide additional flexibility, notwithstanding the provisions of § 22.1-79.1, Code of Virginia, any school division that was granted a waiver regarding the opening date of the school year for the 2011-2012 school year under the good cause requirements shall continue to be granted a waiver for the 2022-2023 school year and the 2023-2024 school year.

**B. General Conditions**

1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for instructional staff members to the employer's cost for a number not exceeding the number of instructional positions required by the Standards of Quality for each school division and for their salaries at the statewide prevailing salary levels as printed below.

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<b>Instructional Position</b>	<b>First Year Salary</b>		<b>Second Year Salary</b>	
Elementary Teachers	\$53,996		\$53,996	
Elementary Assistant Principals	\$75,435		\$75,435	
Elementary Principals	\$93,869		\$93,869	
Secondary Teachers	\$56,977		\$56,977	
Secondary Assistant Principals	\$81,093		\$81,093	
Secondary Principals	\$102,844		\$102,844	
Instructional Aides	\$21,304		\$21,304	

a.1) Payment by the state to a local school division shall be based on the state share of fringe benefit costs of 55 percent of the employer's cost distributed on the basis of the composite index.

2) A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing fringe benefit funds under this provision.

3) The state payment to each school division for retirement, social security, and group life insurance costs for non-instructional personnel is included in and distributed through Basic Aid.

b. Payments to school divisions from this Item shall be calculated using March 31 Average Daily Membership adjusted for half-day kindergarten programs.

c. Payments for health insurance fringe benefits are included in and distributed through Basic Aid.

2. Each locality shall offer a school program for all its eligible pupils which is acceptable to the Department of Education as conforming to the Standards of Quality program requirements.

3. In the event the statewide number of pupils in March 31 ADM results in a state share of cost exceeding the general fund appropriation in this Item, the locality's state share of Basic Aid shall be reduced proportionately so that this general fund appropriation will not be exceeded. In addition, the required local share of Basic Aid shall also be reduced proportionately to the reduction in the state's share.

4. The Department of Education shall make equitable adjustments in the computation of indices of wealth and in other state-funded accounts for localities affected by annexation, unless a court of competent jurisdiction makes such adjustments. However, only the indices of wealth and other state-funded accounts of localities party to the annexation will be adjusted.

5. In the event that the actual revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item (both of which are returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service) for sales in the fiscal year in which the school year begins are different from the number estimated as the basis for this appropriation, the estimated state sales and use tax revenues shall not be adjusted.

6. This appropriation shall be apportioned to the public schools with guidelines established by the Department of Education consistent with legislative intent as expressed in this act.

7.a. Appropriations of state funds in this Item include the number of positions required by the Standards of Quality. This Item includes a minimum of 51 professional instructional positions and aide positions (C 5); Education of the Gifted, 1.0 professional instructional position (C 6); Occupational-Vocational Education Payments and Special Education Payments; a minimum of 6.0 professional instructional positions and aide positions (C 7 and C 8) for each 1,000 pupils in March 31 ADM each year in support of the current Standards of Quality. Funding in support of one hour of additional instruction per day based on the percent of students eligible for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1, depending upon a school division's combined failure rate on the English and Math Standards of Learning, is included in Remedial Education Payments (C 9).

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
b.	No actions provided in this section signify any intent of the General Assembly to mandate an increase in the number of instructional personnel per 1,000 students above the numbers explicitly stated in the preceding paragraph.			
c.	Appropriations in this Item include programs supported in part by transfers to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act. These transfers combined together with other appropriations from the general fund in this Item funds the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support technology position per 1,000 students; one instructional technology position per 1,000 students; and a full daily planning period for teachers at the middle and high school levels in order to relieve the financial pressure these education programs place on local real estate taxes.			
d.	To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers required by the Standards of Quality to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these SOQ funds in this manner shall only employ instructional personnel licensed by the Board of Education.			
e.	To provide flexibility in the provision of reading intervention services, school divisions may use the state Early Reading Intervention initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall only employ instructional personnel licensed by the Board of Education.			
f.	To provide flexibility in the provision of mathematics intervention services, school divisions may use the state Standards of Learning Algebra Readiness initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.			
g.	Notwithstanding the provisions of subsection H 1 of § 22.1-253.13:2 of the Code of Virginia, each local school board shall employ, at a minimum, one full-time principal in each elementary school.			
h.	Notwithstanding the provisions of subsection G of § 22.1-253.13:2 of the Code of Virginia, each local school board shall employ a reading specialist for each 550 students in kindergarten through grade three. To provide flexibility, school boards may employ other staff such as reading coaches or other instructional staff who are working towards obtaining the training and licensure requirements necessary to fulfill the staffing standards that become effective at the start of the 2024-2025 school year. School divisions are encouraged to deploy these positions to assist in reading instruction and intervention to students in kindergarten through sixth grade.			
8.a.1)	Pursuant to § 22.1-97, Code of Virginia, the Department of Education is required to make calculations at the start of the school year to ensure that school divisions have appropriated adequate funds to support their estimated required local expenditure for the corresponding state fiscal year. In an effort to reduce the administrative burden on school divisions resulting from state data collections, such as the one needed to make the aforementioned calculations, the requirements of § 22.1-97, Code of Virginia, pertaining to the adequacy of estimated required local expenditures, shall be satisfied by signed certification by each division superintendent at the beginning of each school year that sufficient local funds have been budgeted to meet all state required local effort and required local match amounts. This provision shall only apply to calculations required of the Department of Education related to estimated required local expenditures and shall not pertain to the calculations associated with actual required local expenditures after the close			

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
of the school year.				
2) The Department of Education shall also make calculations after the close of the school year to verify that the required local effort level, based on actual March 31 Average Daily Membership, was met. Pursuant to § 22.1-97, Code of Virginia, the Department of Education shall report annually, no later than the first day of the General Assembly session, to the House Committees on Education and Appropriations and the Senate Committees on Finance and Appropriations and Education and Health, the results of such calculations made after the close of the school year and the degree to which each school division has met, failed to meet, or surpassed its required local expenditure. The Department of Education shall specify the calculations to determine if a school division has expended its required local expenditure for the Standards of Quality. This calculation may include but is not limited to the following calculations:				
b. The total expenditures for operation, defined as total expenditures less all capital outlays, expenditures for debt service, facilities, non-regular day school programs (such as adult education, preschool, and non-local education programs), and any transfers to regional programs will be calculated.				
c. The following state funds will be deducted from the amount calculated in paragraph a. above: revenues from the state sales and use tax (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item) for sales in the fiscal year in which the school year begins; total receipts from state funds (except state funds for non-regular day school programs and state funds used for capital or debt service purposes); and the state share of any balances carried forward from the previous fiscal year. Any qualifying state funds that remain unspent at the end of the fiscal year will be added to the amount calculated in paragraph a. above.				
d. Federal funds, and any federal funds carried forward from the previous fiscal year, will also be deducted from the amount calculated in paragraph a. above. Any federal funds that remain unspent at the end of the fiscal year and any capital expenditures paid from federal funds will be added to the amount calculated in paragraph a. above.				
e. Tuition receipts, receipts from payments from other cities or counties, and fund transfers will also be deducted from the amount calculated in paragraph a, then				
f. The final amount calculated as described above must be equal to or greater than the required local expenditure defined in paragraph A. 5.				
g. The Department of Education shall collect the data necessary to perform the calculations of required local expenditure as required by this section.				
h. A locality whose expenditure in fact exceeds the required amount from local funds may not reduce its expenditures unless it first complies with all of the Standards of Quality.				
9.a. Any required local matching funds which a locality, as of the end of a school year, has not expended, pursuant to this Item, for the Standards of Quality shall be paid by the locality into the general fund of the state treasury. Such payments shall be made not later than the end of the school year following that in which the under expenditure occurs.				
b. Whenever the Department of Education has recovered funds as defined in the preceding paragraph a., the Secretary of Education is authorized to repay to the locality affected by that action, seventy-five percent (75%) of those funds upon his determination that:				
1) The local school board agrees to include the funds in its June 30 ending balance for the year following that in which the under expenditure occurs;				
2) The local governing body agrees to reappropriate the funds as a supplemental appropriation to the approved budget for the second year following that in which the under expenditure occurs, in an appropriate category as requested by the local school board, for the direct benefit of the students;				
3) The local school board agrees to expend these funds, over and above the funds required to meet the required local expenditure for the second year following that in which the under expenditure occurs, for a special project, the details of which must be furnished to the				



ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Department of Education for review and approval;				
4) The local school board agrees to submit quarterly reports to the Department of Education on the use of funds provided through this project award; and				
5) The local governing body and the local school board agree that the project award will be cancelled and the funds withdrawn if the above conditions have not been met as of June 30 of the second year following that in which the under expenditure occurs.				
c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum sufficient, not to exceed 75 percent of the funds deposited in the general fund pursuant to the preceding paragraph a.				
10. The Department of Education shall specify the manner for collecting the required information and the method for determining if a school division has expended the local funds required to support the actual local match based on all Lottery and Incentive programs in which the school division has elected to participate. Unless specifically stated otherwise in this Item, school divisions electing to participate in any Lottery or Incentive program that requires a local funding match in order to receive state funding, shall certify to the Department of Education its intent to participate in each program by July 1 each fiscal year in a manner prescribed by the Department of Education. As part of this certification process, each division superintendent must also certify that adequate local funds have been appropriated, above the required local effort for the Standards of Quality, to support the projected required local match based on the Lottery and Incentive programs in which the school division has elected to participate. State funding for such program(s) shall not be made until such time that the school division can certify that sufficient local funding has been appropriated to meet required local match. The Department of Education shall make calculations after the close of the fiscal year to verify that the required local match was met based on the state funds that were received.				
11. Any sum of local matching funds for Lottery and Incentive program which a locality has not expended as of the end of a fiscal year in support of the required local match pursuant to this Item shall be paid by the locality into the general fund of the state treasury unless the carryover of those unspent funds is specifically permitted by other provisions of this act. Such payments shall be made no later than the end of the school year following that in which the under expenditure occurred.				
12. The Superintendent of Public Instruction shall provide a report annually, no later than the first day of the General Assembly session, on the status of teacher salaries, by local school division, to the Governor and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees. In addition to information on average salaries by school division and statewide comparisons with other states, the report shall also include information on starting salaries by school division and average teacher salaries by school.				
13. All state and local matching funds required by the programs in this Item shall be appropriated to the budget of the local school board.				
14. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Education, shall prepare and submit a preliminary forecast of Standards of Quality expenditures, based upon the most current data available, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. In odd-numbered years, the forecast for the current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast for the current and subsequent fiscal year shall be provided. The forecast shall detail the projected March 31 Average Daily Membership and the resulting impact on the education budget.				
15. School divisions may choose to use state payments provided for Standards of Quality Prevention, Intervention, and Remediation in both years as a block grant for remediation purposes, without restrictions or reporting requirements, other than reporting necessary as a basis for determining funding for the program.				
16. Except as otherwise provided in this act, the Superintendent of Public Instruction shall provide guidelines for the distribution and expenditure of general fund appropriations and such additional federal, private and other funds as may be made available to aid in the establishment and maintenance of the public schools.				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
17. At the Department of Education's option, fees for audio-visual services may be deducted from state Basic Aid payments for individual local school divisions.				
18. For distributions not otherwise specified, the Department of Education, at its option, may use prior year data to calculate actual disbursements to individual localities.				
19. Payments for accounts related to the Standards of Quality made to localities for public education from the general fund, as provided herein, shall be payable in twenty-four semi-monthly installments at the middle and end of each month.				
20. Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the Department of Education shall, for purposes of calculating the state and local shares of the Standards of Quality, apportion state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2020, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2021, estimate of school age population provided by the Weldon Cooper Center for Public Service.				
Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the State Comptroller shall distribute the state sales and use tax revenues dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2020, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2021, estimate of school age population provided by the Weldon Cooper Center for Public Service.				
21. The school divisions within the Tobacco Region, as defined by the Tobacco Region Revitalization Commission, shall jointly explore ways to maximize their collective expenditure reimbursement totals for all eligible E-Rate funding.				
22. This Item includes appropriations totaling an estimated \$784,671,715 the first year and \$764,671,715 the second year from the revenues deposited to the Lottery Proceeds Fund. These amounts are appropriated for distribution to counties, cities, and towns to support public education programs pursuant to Article X, Section 7-A Constitution of Virginia. Any county, city, or town which accepts a distribution from this fund shall provide its portion of the cost of maintaining an educational program meeting the Standards of Quality pursuant to Section 2 of Article VIII of the Constitution without the use of distributions from the fund.				
23. For reporting purposes, the Department of Education shall include Lottery Proceeds Funds as state funds.				
24.a. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2023 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2023 may carry over into FY 2024 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2024 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY 2024.				
b. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2024 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2024 may carry over into FY 2025 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2025 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY 2025.				
25. Localities are encouraged to allow school boards to carry over any unspent local allocations into the next fiscal year. Localities are also encouraged to provide increased flexibility to school boards by appropriating state and local funds for public education in a lump sum.				
26. The Department of Education shall include in the annual School Performance Report Card				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

for school divisions the percentage of each division's annual operating budget allocated to instructional costs. For this report, the Department of Education shall establish a methodology for allocating each school division's expenditures to instructional and non-instructional costs in a manner that is consistent with the funding of the Standards of Quality as approved by the General Assembly.

27. It is the intent of the General Assembly that all school divisions annually provide their employees, upon request, with a user-friendly statement of total compensation, including contract duration if less than 12 months.

28. The Department of Education, in collaboration with the Virginia Community College System, will ensure that the same policies regarding the cost for dual enrollment courses held at a community college, are consistently applied to public school students and home-schooled students alike. These policies will clearly address the school division contributions and any student charges for dual enrollment courses, and will ensure that public school students and home-school students are treated in the same manner.

29. Each school division shall report each year to the Department of Education the individual uses for the prior year of the following funds prescribed by this item: (i) Prevention, Intervention, and Remediation, (ii) At-Risk Add-On, and (iii) Early Reading Intervention. The Department shall prescribe the format and timeline required for the reporting of such information, which shall include, permitted categories of spending, personnel, both state and local contributions, and to the extent possible, the individual schools which these funds were expended. The Department shall compile and submit this information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than the first day of the General Assembly session.

30. Multidivision online providers, as defined in § 22.1-212.23, Code of Virginia, shall provide certain data as prescribed by the Department of Education related to students enrolled through a contract between such a provider and a school division, including such students who do not reside in the school division that is party to the contract. Such data shall include, but is not limited to, enrollment, which shall be disaggregated by serving school, demographics, attendance, achievement, and achievement gaps, and be transmitted in a format prescribed by the Department. The Department shall report such data annually through the School Quality Profiles in a manner that clearly disaggregates and communicates school quality information related to (i) the students that do not reside in the school division and are served through the contract, and (ii) all other students.

31. Each school division shall report to the Department of Education information about pass-through federal Elementary and Secondary School Emergency Relief funds provided through the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136), the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (P.L. 116-260) and the American Rescue Plan Act (P.L. 117-2). The Department shall prescribe the format and timeline required for the reporting of such information, which shall include obligated and unobligated amounts, planned uses and planned timing for the use of the remaining obligated and unobligated amounts. The Department shall compile and submit this information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than September 1, 2023 and September 1, 2024.

**C. Apportionment**

1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each locality shall receive sums as listed above within this program for the basic operation cost and payments in addition to that cost. The apportionment herein directed shall be inclusive of, and without further payment by reason of, state funds for library and other teaching materials.

2. School Employee Retirement Contributions

a. This Item provides funds to each local school board for the state share of the employer's retirement cost incurred by it, on behalf of instructional and support personnel, for subsequent transfer to the retirement allowance account as provided by Title 51.1, Chapter 1, Code of Virginia.

b. Notwithstanding § 51.1-1401, Code of Virginia, the Commonwealth shall provide

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	<p>payments for only the state share of the Standards of Quality fringe benefit cost of the retiree health care credit. This Item includes payments in both years based on the state share of fringe benefit costs of 55 percent of the employer's cost on funded Standards of Quality instructional and support positions, distributed based on the composite index of the local ability-to-pay.</p>			
	<p>3. School Employee Social Security Contributions</p> <p>This Item provides funds to each local school board for the state share of the employer's Social Security cost incurred by it, on behalf of the instructional personnel for subsequent transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.</p>			
	<p>4. School Employee Insurance Contributions</p> <p>This Item provides funds to each local school board for the state share of the employer's Group Life Insurance cost incurred by it on behalf of instructional personnel who participate in group insurance under the provisions of Title 51.1, Chapter 5, Code of Virginia.</p>			
	<p>5. Basic Aid Payments</p> <p>a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is established individually for each local school division based on the number of instructional personnel required by the Standards of Quality and the statewide prevailing salary levels (adjusted in Planning District Eight for the cost of competing) as well as recognized support costs calculated on a prevailing basis for an estimated March 31 ADM.</p> <p>2) This appropriation includes funding to recognize the common labor market in the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area. Standards of Quality salary payments for instructional and support positions in school divisions of the localities set out below have been adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to local school divisions in Planning District Eight. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, the SOQ payments for instructional and support positions have been increased by 25 percent each year of the COCA rates paid to school divisions in Planning District Eight.</p> <p>The support COCA rate is 18.0 percent.</p> <p>b. 1) The state share for a locality shall be equal to the Basic Operation Cost for that locality less the locality's estimated revenues from the state sales and use tax and the amounts distributed in Item 137.C.5.b.2 for fiscal year 2023 and fiscal year 2024 (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item), in the fiscal year in which the school year begins and less the required local expenditure.</p> <p>2) \$104,100,000 the first year and \$257,200,000 the second year from the general fund shall be distributed to localities on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this item. These funds represent the reduction to divisions from the exemption of the state sales and use tax on food for human consumption and essential personal hygiene products.</p> <p>c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use tax estimates are as cited in this Item.</p> <p>d. 1) In accordance with the provisions of § 37.2-713, Code of Virginia, the Department of Education shall deduct the locality's share for the education of handicapped pupils residing in institutions within the Department of Behavioral Health and Developmental Services from the locality's Basic Aid payments.</p> <p>2) The amounts deducted from Basic Aid for the education of intellectually disabled persons shall be transferred to the Department of Behavioral Health and Developmental Services in support of the cost of educating such persons; the amount deducted from Basic Aid for the education of emotionally disturbed persons shall be used to cover extraordinary expenses incurred in the education of such persons. The Department of Education shall establish guidelines to implement these provisions and shall provide for the periodic transfer of sums due from each local school division to the Department of Behavioral Health and</p>			

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Developmental Services and for Special Education categorical payments. The amount of the actual transfers will be based on data accumulated during the prior school year.</p>				
<p>e. 1) The apportionment to localities of all driver education revenues received during the school year shall be made as an undesignated component of the state share of Basic Aid in accordance with the provisions of this Item. Only school divisions complying with the standardized program established by the Board of Education shall be entitled to participate in the distribution of state funds appropriated for driver education. The Department of Education will deduct a designated amount per pupil from a school division's Basic Aid payment when the school division is not in compliance with § 22.1-205 C, Code of Virginia. Such amount will be computed by dividing the current appropriation for the Driver Education Fund by actual March 31 ADM.</p>				
<p>2) Local school boards may charge a per pupil fee for behind-the-wheel driver education provided, however, that the fee charged plus the per pupil basic aid reimbursement for driver education shall not exceed the actual average per pupil cost. Such fees shall not be cause for a pro rata reduction in Basic Aid payments to school divisions.</p>				
<p>f. Textbooks</p>				
<p>1) The appropriation in this Item includes \$89,797,176 the first year and \$90,101,186 the second year from the general fund as the state's share of the cost of textbooks based on a per pupil amount of \$132.38 the first year and \$132.38 the second year. A school division shall appropriate these funds for textbooks or any other public education instructional expenditure by the school division. The state's distributions for textbooks shall be based on adjusted March 31 ADM. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.</p>				
<p>2) School divisions shall provide free textbooks to all students.</p>				
<p>3) School divisions may use a portion of this funding to purchase Standards of Learning instructional materials. School divisions may also use these funds to purchase electronic textbooks or other electronic media resources integral to the curriculum and classroom instruction and the technical equipment required to read and access the electronic textbooks and electronic curriculum materials.</p>				
<p>4) Any funds provided to school divisions for textbook costs that are unexpended as of June 30, 2023, or June 30, 2024, shall be carried on the books of the locality to be appropriated to the school division the following year to be used for same purpose. School divisions are permitted to carry forward any remaining balance of textbook funds until the funds are expensed for a qualifying purpose.</p>				
<p>g. The one-cent state sales and use tax earmarked for education and the sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item which are distributed to localities on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this Item shall be reflected in each locality's annual budget for educational purposes as a separate revenue source for the current fiscal year.</p>				
<p>h. The appropriation for the Standards of Quality for Public Education (SOQ) includes amounts estimated at \$507,300,000 the first year and \$522,000,000 the second year from the amounts transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this act which are derived from the 0.375 cent increase in the state sales and use tax levied pursuant to § 58.1-638, Code of Virginia. These additional funds are provided to local school divisions and local governments in order to relieve the financial pressure education programs place on local real estate taxes.</p>				
<p>i. From the total amounts in paragraph h. above, an amount estimated at \$338,200,000 the first year and \$348,000,000 the second year (approximately 1/4 cent of sales and use tax) is appropriated to support a portion of the cost of the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 &amp; 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support and one instructional technology position per 1,000 students; a full daily planning period for</p>				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
teachers at the middle and high school levels in order to relieve the pressure on local real estate taxes and shall be taken into account by the governing body of the county, city, or town in setting real estate tax rates.				
j. From the total amounts in paragraph h. above, an amount estimated at \$169,100,000 the first year and \$174,000,000 the second year (approximately 1/8 cent of sales and use tax) is appropriated in this Item to distribute the remainder of the revenues collected and deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this Item.				
k. For the purposes of funding certain support positions in Basic Aid, a funding ratio methodology is used based upon 20 support positions per 1,000 ADM to funded SOQ instructional positions in the first year and 21 support positions per 1,000 ADM to funded SOQ instructional positions in the second year. Such methodology shall not apply to the following SOQ support positions: division superintendent, school board members, pupil transportation positions, or specialized student support positions established in Chapter 454, 2021 Acts of Assembly, Special Session I.				
6. Education of the Gifted Payments				
a. An additional payment shall be disbursed by the Department of Education to local school divisions to support the state share of one full-time equivalent instructional position per 1,000 students in adjusted March 31 ADM.				
b. Local school divisions are required to spend, as part of the required local expenditure for the Standards of Quality the established per pupil cost for gifted education (state and local share) on approved programs for the gifted.				
7. Occupational-Vocational Education Payments				
a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Vocational Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.				
b. An amount estimated at \$131,951,563 the first year and \$132,238,627 the second year from the general fund included in Basic Aid Payments relates to vocational education programs in support of the Standards of Quality.				
8. Special Education Payments				
a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Special Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.				
b. Out of the amounts for special education payments, general fund support is provided to fund the caseload standards for speech pathologists at 68 students for each year of the biennium.				
9. Remedial Education Payments				
a. An additional payment estimated at \$125,697,172 the first year and \$125,949,775 the second year from the general fund shall be disbursed by the Department of Education to support the Board of Education's Standards of Quality Prevention, Intervention, and Remediation program adopted in June 2003.				
b. The payment shall be calculated based on one hour of additional instruction per day for identified students, using the three year average percent of students eligible for the federal Free Lunch program as a proxy for students needing such services. Fall membership shall be multiplied by the three year average division-level Free Lunch eligibility percentage to determine the estimated number of students eligible for services. Pupil-teacher ratios shall be applied to the estimated number of eligible students to determine the number of instructional positions needed for each school division. The pupil-teacher ratio applied for each school division shall range from 10:1 for those divisions with the most severe combined three year				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>average failure rates for English and math Standards of Learning test scores to 18:1 for those divisions with the lowest combined three year average failure rates for English and math Standards of Learning test scores.</p>				
<p>c. Funding shall be matched by the local government based on the composite index of local ability-to-pay.</p>				
<p>d. To provide flexibility in the instruction of English Language Learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the SOQ Prevention, Intervention, and Remediation account to employ additional English Language Learner teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided through the staffing standard of 20 instructional positions per 1,000 limited English proficiency students. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall only employ instructional personnel licensed by the Board of Education.</p>				
<p>e. An additional state payment estimated at \$178,977,243 the first year and \$209,141,908 the second year from the general fund and \$158,134,094 the first year and \$131,056,691 the second year from the Lottery Proceeds Fund shall be disbursed based on the estimated number of federal Free Lunch participants, in support of programs for students who are educationally at risk. The additional payment shall be based on the state share of:</p>				
<p>1) A minimum 1.0 percent Add-On, as a percent of the per pupil basic aid cost, for each child who qualifies for the federal Free Lunch Program; and</p>				
<p>2) An addition to the Add-On, based on the concentration of children qualifying for the federal Free Lunch Program. Based on its percentage of Free Lunch participants, each school division will receive a total between 1.0 and 36.0 percent in additional basic aid per Free Lunch participant. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.</p>				
<p>3a) Local school divisions are required to spend the established At-Risk Add-On payment (state and local share) on approved programs for students who are educationally at risk.</p>				
<p>b) To receive these funds, each school division shall certify to the Department of Education that the state and local share of the At-Risk Add-On payment will be used to support approved programs for students who are educationally at risk. These programs may include: teacher recruitment programs and incentives, Dropout Prevention, community and school-based truancy officer programs, Advancement Via Individual Determination (AVID), Project Discovery, programs for students who speak English as a Second Language, hiring additional school guidance counselors, testing coordinators, and licensed behavior analysts, or programs related to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training.</p>				
<p>4) If the Board of Education has required a local school board to submit a corrective action plan pursuant to § 22.1-253.13:3, Code of Virginia, either for the school division pursuant to a division level review, or for any schools within its division that have been designated as not meeting the standards as approved by the Board of Education, the Superintendent of Public Instruction shall determine and report to the Board of Education whether each such local school board has met its obligation to develop and submit such corrective action plan(s) and is making adequate and timely progress in implementing the plan(s). Additionally, if an academic or other review process undertaken pursuant to § 22.1-253.13:3, Code of Virginia, has identified actions for a local school board to implement, the Superintendent of Public Instruction shall determine and report to the Board of Education whether the local school board has implemented required actions. If the Superintendent certifies that a local school board has failed or refused to meet any of those obligations as referenced in a memorandum of understanding between the local school board and the Board of Education, the Board of Education shall withhold payment of some or all At-Risk Add-On funds otherwise allocated to the affected division pursuant to this allocation for the pending fiscal year. In determining the amount of At-Risk Add-On funds to be withheld, the Board of Education shall take into consideration the extent to which such funds have already been expended or contractually obligated. The local school</p>				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
board shall be given an opportunity to correct its failure and, if successful in a timely manner, may have some or all of its At-Risk Add-On funds restored at the Board of Education's discretion.				
f. Regional Alternative Education Programs				
1) An additional state payment of \$10,453,748 the first year and \$11,097,555 the second year from the Lottery Proceeds Fund shall be disbursed for Regional Alternative Education programs. Such programs shall be for the purpose of educating certain expelled students and, as appropriate, students who have received suspensions from public schools and students returned to the community from the Department of Juvenile Justice.				
2) Each regional program shall have a small student/staff ratio. Such staff shall include, but not be limited to education, mental health, health, and law enforcement professionals, who will collaborate to provide for the academic, psychological, and social needs of the students. Each program shall be designed to ensure that students make the transition back into the "mainstream" within their local school division.				
3) a) Regional alternative education programs are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs. This incremental per pupil payment shall be adjusted for the composite index of local ability-to-pay of the school division that counts such students attending such program in its March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the regional programs for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the school day or school year that the student does not attend such program.				
b) In the event a school division does not use all of the student slots it is allocated under this program, the unused slots may be reallocated or transferred to another school division.				
1. A school division must request from the Department of Education the availability and possible use of any unused student slots. If any unused slots are available and if the requesting school division chooses to utilize any of the unused slots, the requesting school division shall only receive the state's share of tuition for the unused slot that was allocated in this Item for the originally designated school division.				
2. However, no requesting school division shall receive more tuition funding from the state for any requested unused slot than what would have been the calculated amount for the requesting school division had the unused slot been allocated to the requesting school division in the original budget. Furthermore, the requesting school division shall pay for any remaining tuition payment necessary for using a previously unused slot.				
3. The Department of Education shall provide assistance for the state share of the incremental cost of Regional Alternative Education program operations based on the composite index of local ability-to-pay.				
4) Out of the appropriation included in paragraph C.37. of this item, \$750,443 the first year and \$1,648,377 the second year from the Lottery Proceeds Fund is provided for a compensation supplement payment equal to 5.0 percent of base pay on August 1, 2022, and an additional 5.0 percent of base pay on July 1, 2023, for Regional Alternative Education Program instructional and support positions, as referenced in paragraph C.37. of this item.				
5) In the second year, the Department of Education shall conduct a biennial application process to determine the slot allocation of the regional alternative education program for the subsequent biennium. Each school division, or the fiscal agent for each regional program, shall apply for the desired number of student slots from the statewide total number of slots funded in the state formula. The approved number of slots shall be set for both years of the biennium. The Department of Education shall utilize the existing reallocation process as prescribed in this item to allocate initial application requests if the initial application demand for slots exceeds the number of slots available. In each fiscal year, the Department of Education shall reallocate any unused student slots as prescribed in this item.				



<b>ITEM 137.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2023</b>	<b>Second Year FY2024</b>	<b>First Year FY2023</b>	<b>Second Year FY2024</b>

g. Remedial Summer School

1) This appropriation includes \$22,725,378 the first year and \$22,725,378 the second year from the general fund for the state's share of Remedial Summer School Programs. These funds are available to school divisions for the operation of programs designed to remediate students who are required to attend such programs during a summer school session or during an intersession in the case of year-round schools. These funds may be used in conjunction with other sources of state funding for remediation or intervention. School divisions shall have maximum flexibility with respect to the use of these funds and the types of remediation programs offered; however, in exercising this flexibility, students attending these programs shall not be charged tuition and no high school credit may be awarded to students who participate in this program.

2) For school divisions charging students tuition for summer high school credit courses, consideration shall be given to students from households with extenuating financial circumstances who are repeating a class in order to graduate.

10. K-3 Primary Class Size Reduction Payments

a. An additional payment estimated at \$141,268,750 the first year and \$141,778,274 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education as an incentive for reducing class sizes in the primary grades.

b. The Department of Education shall calculate the payment based on the incremental cost of providing the lower class sizes based on the lower of the division average per pupil cost of all divisions or the actual division per pupil cost.

c. Localities are required to provide a match for these funds based on the composite index of local ability-to-pay.

d. By October 15 of each year school divisions must provide data to the Department of Education that each participating school has a September 30 pupil/teacher ratio in grades K through 3 that meet the following criteria:

<b>Qualifying School Percentage of Students Approved</b>	<b>Grades K-3</b>	<b>Maximum Individual</b>
<b>Eligible for Free Lunch, Three-Year Average</b>	<b>School Ratio</b>	<b>K-3 Class Size</b>
30% but less than 45%	19 to 1	24
45% but less than 55%	18 to 1	23
55% but less than 65%	17 to 1	22
65% but less than 70%	16 to 1	21
70% but less than 75%	15 to 1	20
75% or more	14 to 1	19

e. School divisions may elect to have eligible schools participate at a higher ratio, or only in a portion of grades kindergarten through three, with a commensurate reduction of state and required local funds, if local conditions do not permit participation at the established ratio and/or maximum individual class size. In the event that a school division requires additional actions to ensure participation at the established ratio and/or maximum individual class size, such actions must be completed by December 1 of the impacted school year. Special education teachers and instructional aides shall not be counted towards meeting these required pupil/teacher ratios in grades kindergarten through three.

f. The Superintendent of Public Instruction may grant waivers to school divisions for the class size requirement in eligible schools that have only one class in an affected grade level in the school.

11. Literary Fund Subsidy Program Payments

a. The Department of Education and the Virginia Public School Authority (VPSA) shall provide a program of funding for school construction and renovation through the Literary Fund and through VPSA bond sales. Notwithstanding 8VAC-20-100, the program shall be

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
used to provide funds, through Literary Fund loans and subsidies, and through VPSA bond sales, to fund a portion of the projects submitted by localities during the annual open enrollment process, or other critical projects that may receive priority as identified by the Board of Education. Interest rate subsidies will provide school divisions with the present value difference in debt service between a Literary Fund loan and a borrowing through the VPSA. To qualify for an interest rate subsidy, the school division's project must be eligible for a Literary Fund loan and shall be subject to the same restrictions. The VPSA shall work with the Department of Education in selecting those projects to be funded through the interest rate subsidy/bond financing program, so as to ensure the maximum leverage of Literary Fund moneys and a minimum impact on the VPSA Bond Pool.				
b. Notwithstanding §§ 22.1-146.1 through 22.1-153, Code of Virginia, and 8VAC-20-100, the Board of Education shall: 1) issue loans from the designated and uncommitted balances of the Literary Fund to the school boards of local school divisions that apply for such loans, authorized by the governing body and the school board, for the purposes of a) erecting, altering, or enlarging school buildings in local school divisions, or b) refinancing or redemption of negotiable notes, bonds, and other evidences of indebtedness or obligations incurred by a locality on behalf of a school division which has an application for a Literary Fund loan for an approved school project pending before the Board of Education; 2) establish a maximum Literary Fund loan amount per project of \$25.0 million; 3) in consultation with the Department of the Treasury, establish loan interest rates that are benchmarked to a market index on an annual basis, not to exceed 2.0 percent for the tier of localities with a school division local composite index of ability-to-pay between 0.0 and 0.2999; 4) replace the existing First Priority and Second Priority waiting lists with an annual open enrollment process for loans, with priority based on the local composite index of ability-to-pay; and 5) offer a loan add-on not to exceed \$5.0 million per loan for projects that will result in school consolidation and the net reduction of at least one existing school. The Department of Education, in cooperation with the Department of the Treasury, shall provide an update on Literary Fund loan issuance to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2023, and each year thereafter. This report shall include detail of: 1) loan applications received in the prior fiscal year by locality, project, and amount; 2) loans issued in the prior fiscal year by locality, project, and amount; 3) the schedule of loan interest rates and the basis for those rates; 4) loans issued for school consolidation projects and the projected impact of those school consolidations; and 5) the impact of loans issued to date on the Literary Fund cash balance, outstanding loan balance, and projected asset base.				
c. The Board of Education may offer up to \$200,000,000 the first year and up to \$200,000,000 the second year from the Literary Fund in school construction loans, subject to the availability of funds. Amounts designated for school construction loans that are not obligated in the first year may be obligated in the second year. In addition, the Department of Education may offer Literary Fund loans from the uncommitted balances of the Literary Fund after meeting the obligations of the interest rate subsidy sales and the amounts set aside from the Literary Fund for Debt Service Payments for Education Technology and Security Equipment in this Item.				
d. 1) In the event that on any scheduled payment date of bonds of the Virginia Public School Authority (VPSA) authorized under the provisions of a bond resolution adopted subsequent to June 30, 1997, issued subsequent to June 30, 1997, and not benefiting from the provisions of either § 22.1-168 (iii), (iv), and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the sum of (i) the payments on general obligation school bonds of cities, counties, and towns (localities) paid to the VPSA and (ii) the proceeds derived from the application of the provisions of § 15.2-2659, Code of Virginia, to such bonds of localities, is less than the debt service due on such bonds of the VPSA on such date, there is hereby appropriated to the VPSA, first, from available moneys of the Literary Fund and, second, from the general fund a sum equal to such deficiency.				
2) The Commonwealth shall be subrogated to the VPSA to the extent of any such appropriation paid to the VPSA and shall be entitled to enforce the VPSA's remedies with respect to the defaulting locality and to full recovery of the amount of such deficiency, together with interest at the rate of the defaulting locality's bonds.				
e. The chairman of the Board of Commissioners of the VPSA shall, on or before November 1 of each year, make and deliver to the Governor and the Secretary of Finance a certificate				

<b>ITEM 137.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2023</b>	<b>FY2024</b>

setting forth his estimate of total debt service during each fiscal year of the biennium on bonds of the VPSA issued and projected to be issued during such biennium pursuant to the bond resolution referred to in paragraph a above. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.

12. Educational Technology Payments

a. Any unobligated amounts transferred to the educational technology fund shall be disbursed on a pro rata basis to localities. The additional funds shall be used for technology needs identified in the division's technology plan approved by the Department of Education.

b. The Department of Education shall authorize estimated amounts as indicated in Table 1 from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in the referenced years.

Table 1

<b>Grant Year</b>	<b>FY 2023</b>	<b>FY 2024</b>
2018	\$12,474,000	
2019	\$11,973,250	\$11,975,250
2020	\$11,391,000	\$11,389,000
2021	\$11,353,100	\$11,351,600
2022	\$12,466,548	\$12,466,548
2023		\$12,466,548

c. It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for education technology grant programs. In developing the proposed 2024-2026, 2026-2028, and 2028-2030 biennial budgets for public education, the Department of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2025, 2026, 2027, 2028, and 2029.

d. 1) An education technology grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at \$56,348,000 in fiscal year 2023 and \$56,672,000 in fiscal year 2024. Proceeds of the notes will be used to establish a computer-based instructional and testing system for the Standards of Learning (SOL) and to develop the capability for high speed Internet connectivity at high schools followed by middle schools followed by elementary schools. School divisions shall use these funds first to develop and maintain the capability to support the administration of online SOL testing for all students with the exception of students with a documented need for a paper SOL test.

2) Grant funds from the issuance of \$56,348,000 in fiscal year 2023 and \$56,672,000 in fiscal year 2024 in equipment notes are based on a grant of \$26,000 per school and \$50,000 per school division. For purposes of this grant program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2022, for the fiscal year 2023 issuance, and September 30, 2023, for the fiscal year 2024 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, CodeRVA Regional High School, and the School for the Deaf and the Blind. Schools that serve only pre-kindergarten students shall not be eligible for this grant.

3. a.) Supplemental grants shall be allocated to eligible divisions to support schools that are not fully accredited in accordance with this paragraph. Schools that include a ninth grade that administer SOL tests in Spring 2022 and that are not fully accredited for the second consecutive year, based on school accreditation ratings in effect for fiscal year 2022 and fiscal year 2023 will qualify to participate in the Virginia e-Learning Backpack Initiative in fiscal year 2023 and receive: (1) a supplemental grant of \$400 per student reported in ninth grade fall membership in a qualifying school for the purchase of a laptop

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

or tablet for that student and (2) a supplemental grant of \$2,400 per qualifying school to purchase two content creation packages for teachers. Schools eligible to receive this supplemental grant in fiscal year 2023 shall continue to receive the grant for the number of subsequent years equaling the number of grades 9 through 12 in the qualifying school up to a maximum of four years. Schools that administer SOL tests in Spring 2023 and that are not fully accredited for the second consecutive year based on school accreditation ratings in effect for fiscal year 2023 and fiscal year 2024 will qualify to participate in the initiative in fiscal year 2024. Schools eligible for the supplemental grants in previous fiscal years shall continue to be eligible for the remaining years of their grant award. Schools eligible to receive this supplemental grant in fiscal year 2024 shall continue to receive the grant for the number of subsequent years equaling the number of grades 9 through 12 in the qualifying school up to a maximum of four years. Grants awarded to qualifying schools that do not have grades 10, 11, or 12 may transition with the students to the primary receiving school for all years subsequent to grade 9. Schools are eligible to receive these grants for a period of up to four years and shall not be eligible to receive a separate award in the future once the original award period has concluded. Schools that are fully accredited or that are new schools with conditional accreditation in their first year shall not be eligible to receive this supplemental grant.

b.) Supplemental grants allocated to school divisions for participation in the Virginia e-Learning Backpack Initiative prior to fiscal year 2017 shall be used in eligible schools for (1) the purchase of a laptop or tablet for a student reported in ninth grade fall membership, and (2) the purchase of two content creation packages for teachers per grant. The amounts for such grants shall remain unchanged.

4) Required local match:

a) Localities are required to provide a match for these funds equal to 20 percent of the grant amount, including the supplemental grants provided pursuant to paragraph g. 5). At least 25 percent of the local match, including the match for supplemental grants, shall be used for teacher training in the use of instructional technology, with the remainder spent on other required uses. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match requirement.

b) School divisions that administer 100 percent of SOL tests online in all elementary, middle, and high schools may use up to 75 percent of their required local match to purchase targeted technology-based interventions. Such interventions may include the necessary technology and software to support online learning, technology-based content systems, content management systems, technology equipment systems, information and data management systems, and other appropriate technologies that support the individual needs of learners. School divisions that receive supplemental grants pursuant to paragraph g.5) above shall use the funds in qualifying schools to purchase laptops and tablets for ninth grade students reported in fall membership and content creation packages for teachers.

5) The goal of the education technology grant program is to improve the instructional, remedial, and testing capabilities of the Standards of Learning for local school divisions and to increase the number of schools achieving full accreditation.

6) Funds shall be used in the following manner:

a) Each division shall use funds to reach a goal, in each high school, of: (1) a 5-to-1 student to computer ratio; (2) an Internet-ready local area network (LAN) capability; and (3) high speed access to the Internet. School connectivity (computers, LANs and network access) shall include sufficient download/upload capability to ensure that each student will have adequate access to Internet-based instructional, remedial and assessment programs.

b) When each high school in a division meets the goals established in paragraph a) above, the remaining funds shall be used to develop similar capability in first the middle schools and then the elementary schools.

c) For purposes of establishing or enhancing a computer-based instructional program supporting the Standards of Learning pursuant to paragraph g. 1) above, these grant funds may be used to purchase handheld multifunctional computing devices that support a broad range of applications and that are controlled by operating systems providing full multimedia

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>support and mobile Internet connectivity. School divisions that elect to use these grant funds to purchase such qualifying handheld devices must continue to meet the on-line testing requirements stated in paragraph g. 1) above.</p>				
<p>d) School divisions shall be eligible to receive supplemental grants pursuant to paragraph g.5) above. These supplemental grants shall be used in qualifying schools for the purchase of laptops and tablets for ninth grade students reported in fall membership and content creation packages for teachers. Participating school divisions will be required to select a core set of electronic textbooks, applications and online services for productivity, learning management, collaboration, practice, and assessment to be included on all devices. In addition, participating school divisions will assume recurring costs for electronic textbook purchases and maintenance.</p>				
<p>e) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.</p>				
<p>7) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.</p>				
<p>e. The Department of Education shall maintain criteria to determine if high schools, middle schools, or elementary schools have the capacity to meet the goals of this initiative. The Department of Education shall be responsible for the project management of this program.</p>				
<p>f. 1) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes of the VPSA on such date, there is hereby appropriated to the VPSA from the general fund a sum equal to such deficiency.</p>				
<p>2) The Chairman of the Board of Commissioners of the VPSA shall, on or before November 1 of each year, make and deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds and notes of the VPSA issued and projected to be issued during such biennium pursuant to the resolution referred to in paragraph 1) above. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.</p>				
<p>g. Unobligated proceeds of the notes, including investment income derived from the proceeds of the notes may be used to pay interest on, or to decrease principal of the notes or to fund a portion of such other educational technology grants as authorized by the General Assembly.</p>				
<p>h. 1) For the purposes of § 56-232, Code of Virginia, "Contracts of Telephone Companies with State Government" and for the purposes of § 56-234 "Contracts for Service Rendered by a Telephone Company for the State Government" shall be deemed to include communications lines into public schools which are used for educational technology. The rate structure for such lines shall be negotiated by the Superintendent of Public Instruction and the Chief Information Officer of the Virginia Information Technologies Agency. Further, the Superintendent and Director are authorized to encourage the development of "by-pass" infrastructure in localities where it fails to obtain competitive prices or prices consistent with the best rates obtained in other parts of the state.</p>				
<p>2) The State Corporation Commission, in its consideration of the discount for services provided to elementary schools, secondary schools, and libraries and the universal service funding mechanisms as provided under § 254 of the Telecommunications Act of 1996, is hereby encouraged to make the discounts for intrastate services provided to elementary schools, secondary schools, and libraries for educational purposes as large as is prudently</p>				

<b>ITEM 137.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2023</b>	<b>FY2024</b>

possible and to fund such discounts through the universal fund as provided in § 254 of the Telecommunications Act of 1996. The commission shall proceed as expeditiously as possible in implementing these discounts and the funding mechanism for intrastate services, consistent with the rules of the Federal Communications Commission aimed at the preservation and advancement of universal service.

13. Security Equipment Payments

1) A security equipment grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at up to \$12,000,000 in fiscal year 2023 and \$12,000,000 in fiscal year 2024 in conjunction with the Virginia Public School Authority technology notes program authorized in C.12. of this Item. Proceeds of the notes will be used to help offset the related costs associated with the purchase of appropriate security equipment that will improve and help ensure the safety of students attending public schools in Virginia.

2) The Department of Education shall authorize estimated amounts as indicated in Table 1 from the Literary Fund to provide debt service payments for the security equipment grant programs conducted through the Virginia Public School Authority in the referenced years.

Table 1

<b>Grant Year</b>	<b>FY 2023</b>	<b>FY 2024</b>
2018	\$1,275,750	
2019	\$1,262,250	\$1,260,000
2020	\$2,430,750	\$2,425,750
2021	\$2,431,400	\$2,430,400
2022	\$2,667,345	\$2,667,345
2023		\$2,667,345

3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2024-2026, 2026-2028, and 2028-2030 biennial budgets for public education, the Department of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2025, 2026, 2027, 2028, and 2029.

4) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes on such date, there is hereby appropriated to the Virginia Public School Authority from the general fund a sum equal to such deficiency.

5) The Chairman of the Board of Commissioners of the Virginia Public School Authority shall, on or before November 1 of each year, deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds and notes issued and projected to be issued during such biennium. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.

6) Grant award funds from the issuance of up to \$12,000,000 in fiscal year 2023 and \$12,000,000 in fiscal year 2024 in equipment notes shall be distributed to eligible school divisions. The grant awards will be based on a competitive grant basis of up to \$250,000 per school division. School divisions will be permitted to apply annually for grant funding. For purposes of this program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2022, for the fiscal year 2023 issuance, and September 30, 2023, for the fiscal year 2024 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, and the Virginia School for the Deaf and the Blind.

7) School divisions would submit their application to Department of Education by August 1

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

of each year based on the criteria developed by the Department of Education in collaboration with the Department of Criminal Justice Services who will provide requested technical support. Furthermore, the Department of Education will have the authority to make such grant awards to such school divisions.

8) It is also the intent of the General Assembly that, beginning with fiscal year 2020, the total amount of the grant awards shall not exceed \$60,000,000 over any ongoing revolving five year period.

9) Required local match:

a) Localities are required to provide a match for these funds equal to 25 percent of the grant amount. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match requirement.

b) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.

c) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.

14. Virginia Preschool Initiative Payments

a.1) It is the intent of the General Assembly that a payment estimated at \$115,987,950 the first year and \$116,283,670 the second year from the general fund shall be disbursed by the Department of Education to schools and community-based organizations to provide quality preschool programs for at-risk four-year-olds who are residents of Virginia and unserved by Head Start program funding and for at-risk five-year-olds who are not eligible to attend kindergarten, or who did not have access to a sufficient preschool experience and whose families request preschool as the most appropriate placement. Final Virginia Preschool Initiative placement decisions for eligible children shall be based on family and program leader input.

2) These state funds and required local matching funds shall be used to provide programs for at-risk four-year-old children, which include quality preschool education, health services, social services, parental involvement and transportation. It shall be the policy of the Commonwealth that state funds and required local matching funds for the Virginia Preschool Initiative not be used for capital outlay, not be used to supplant any Head Start federal funds provided for local early education programs, and not be used until the local Head Start grantee certifies that all local Head Start slots are filled. Programs must provide full-day or half-day and, at least, school-year services.

3) 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 school division and the school divisions must certify that the Virginia Preschool Initiative program follows the established standards 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.

4) a) Grants shall be distributed based on an allocation formula providing the state share of a \$8,359 per pupil grant in the first year and a \$8,359 per pupil grant in the second year for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program. Grants to half-day programs shall be funded based on the state share of \$4,180 in the first year and \$4,180 in the second year per unserved at-risk four-year-old in each locality.

For Planning District Eight localities, grants shall be distributed based on an allocation formula providing the state share of a \$8,989 per pupil grant in the first year and a \$8,989

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

per pupil grant in the second year for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program; grants to half-day programs for these localities shall be funded based on the state share of \$4,495 in the first year and \$4,495 in the second year per unserved at-risk four-year-old in each locality.

For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, grants shall be distributed based on an allocation formula providing the state share of a \$8,516 per pupil grant in the first year and a \$8,516 per pupil grant in the second year for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program; grants to half-day programs for these localities shall be funded based on the state share of \$4,258 in the first year and \$4,258 in the second year per unserved at-risk four-year-old in each locality.

The number of unserved at-risk four-year-olds in each locality shall be based on the projected number of kindergarten students, updated once each biennium for the Governor's introduced biennial budget. The Department of Education shall biennially rebenchmark the Virginia Preschool Initiative per pupil amounts using a formula similar to the current formula supporting public K-12 education in Virginia.

For slots filled as of September 30 each year, grants shall be based on the state share of 100 percent of the per pupil amount for a full-day or half-day program. For slots filled between October 1 and December 31 each year, grants shall be based on the state share of the per pupil amount for a full-day or half-day program prorated for the portion of the school year each child is served. Following the Department of Education's fall student record collection each year, the Department shall project the number of additional slots that may be filled between October 1 and December 31 each year. The Department of Education is authorized to prorate state funding for slots filled between October 1 and December 31 each year if demand exceeds available appropriation.

b) Out of this appropriation, \$12,729,291 the first year and \$20,029,791 the second year from the general fund is provided to serve at-risk three-year-olds who are residents of Virginia and unserved by Head Start funding using criteria determined by the Department of Education and subject to available appropriation. Localities may apply to participate by May 15 each year and shall be selected on a competitive basis. Localities shall be required to: (i) demonstrate broad stakeholder support, (ii) track outcomes for participating children, (iii) demonstrate how they will maximize federal and state funds to preserve existing birth to five slots, including certifying that all local Head Start slots are filled, (iv) support inclusive practices of children with identified special needs, and (v) collaborate among the school division, local department of social services, programs accepting child care subsidy payments, and providers for Head Start, private child care, and early childhood special education and early intervention programs. Localities that meet the following characteristics shall be prioritized for participation: (i) communities with limited child care options; (ii) programs serving children in private, mixed-delivery settings; or (iii) communities that demonstrate full support of public and private providers. Grants shall be distributed based on an allocation formula providing the state share of the per pupil amounts in paragraph C.14.a.4)a).

c) Full-day programs shall operate for a minimum of five and one-half instructional hours, excluding breaks for meals, and half-day programs shall operate for a minimum of three hours of classroom instructional time per day, excluding breaks for lunch. Virginia Preschool Initiative programs may include unstructured recreational time that is intended to develop teamwork, social skills, and overall physical fitness in any calculation of total instructional time, provided that such unstructured recreational time does not exceed 15 percent of total instructional time or teaching hours. No additional state funding is provided for programs operating greater than three hours per day but less than five and one-half hours per day. In determining the state and local shares of funding, the composite index of local ability-to-pay is capped at 0.5000.

d) For new programs in the first year of implementation only, programs operating less than a full school year shall receive state funds on a fractional basis determined by the pro-rata portion of a school year program provided. In determining the prorated state funds to be received, a school year shall be 180 days or 990 teaching hours.

e) To ensure children with special needs have equitable opportunity to enter kindergarten ready, all Virginia Preschool Initiative programs are expected to be inclusive of children with



ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

disabilities. Specifically, programs shall meet or exceed a target inclusion rate, such that 10 percent of all children participating in the Virginia Preschool Initiative are children with disabilities, defined as those with an Individualized Education Plan, and are served in inclusive classrooms that include children who do not have an Individualized Education Plan. A program that is unable to meet this target shall provide reasons a 10 percent inclusion rate was not achieved in the given school year in its annual comprehensive report.

b.1) Any locality that desires to participate in this grant program must submit a proposal through its chief administrator (county administrator or city manager) by May 15 of each year. The chief administrator, in conjunction with the school superintendent, 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 children, which demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk four-year-old children and, if applicable, to serve at-risk three-year-old children.

2) The proposal must demonstrate coordination with all parties necessary for the successful delivery of comprehensive services, including the schools, child care providers, local social services agency, Head Start, local health department, and other groups identified by the lead agency. The proposal must identify which entities were consulted and how the locality will ensure that federal funds are preserved and maximized including demonstrating compliance with Title I of the federal Elementary and Secondary Education Act to ensure that a Local Educational Agency receiving Title I funding coordinates with Head Start programs and other early learning programs receiving federal funds by developing Memorandums of Understanding with such agencies to coordinate services. The proposal must also demonstrate a plan for supporting inclusive practices for children with identified special needs.

3) A local match, based on the composite index of local ability-to-pay, shall be required. For purposes of meeting the local match, localities may use local expenditures for existing qualifying programs, however, at least fifty percent of the local match will be cash and no more than fifty percent will be in-kind. In-kind contributions are defined as cash outlays that are made by the locality that benefit the program but are not directly charged to the program. The value of fixed assets cannot be considered as an in-kind contribution. Philanthropic or other private funds may be contributed to the locality to be appropriated in their local budget and then utilized as local match. Localities shall also continue to pursue and coordinate other funding sources, including child care subsidies. Funds received through this program must be used to supplement, not supplant, any funds currently provided for programs within the locality. However, in the event a locality is unable to continue the previous level of support to programs for at-risk four-year-olds from Title I of the federal Elementary and Secondary Education Act (ESEA), the state and local funds provided in this grants program may be used to continue services to these Title I students. Such inability may occur due to adjustments to the allocation formula in the reauthorization of ESEA as the Every Student Succeeds Act of 2015, or due to a percentage reduction in a locality's Title I allocation in a particular year. Any locality so affected shall provide written evidence to the Superintendent of Public Instruction and request his approval to continue the services to Title I students.

c. Local plans must provide clear methods of service coordination for the purpose of reducing the per child cost for the service, increasing the number of at-risk children served and/or extending services for the entire year. Examples of these include:

1) "Wraparound Services" - methods for combining funds such as child care subsidy dollars administered by local social service agencies with dollars for quality preschool education programs.

2) "Wrap-out Services" - methods for using grant funds to purchase quality preschool services to at-risk four-year-old children through an existing child care setting by purchasing comprehensive services within a setting which currently provides quality preschool education.

3) "Expansion of Service" - methods for using grant funds to purchase slots within existing programs, such as Head Start, which provides comprehensive services to at-risk

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
three- and four-year-old children.				
d. Local plans must indicate the number of at-risk 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) children with disabilities or delays who are eligible for special education services under the Individuals with Disabilities Education Act, regardless of household income. Up to 15 percent of a division's slots may be filled based on locally established eligibility criteria so as to meet the unique needs of at-risk children in the community. If applicable, local plans must also indicate the number of at-risk three-year-old children to be served using the same eligibility criteria listed above. Localities that can demonstrate that more than 15 percent of slots are needed to meet the needs of at-risk children in their community may apply for a waiver from the Superintendent of Public Instruction to use a larger percentage of their slots. Localities must demonstrate that increasing eligibility will enable the maximization of federal funds and will not have a negative impact on access for other individuals currently being served.				
e.1) The Department of Education shall provide technical assistance for the administration of this grant program to provide assistance to localities in developing a comprehensive, coordinated, quality preschool program that prepares all participants for kindergarten.				
2) The Department shall provide interested localities with information on models for service delivery, methods of coordinating funding streams, such as funds to match federal IV-A child care dollars, to maximize funding without supplanting existing sources of funding for the provision of services to at-risk three- and four-year-old children. A priority for technical assistance in the design of programs shall be given to localities where the majority of the at-risk three- and four-year-old population is currently unserved.				
f. Out of this appropriation, \$3,587,390 the first year and \$3,587,390 the second year from the general fund is provided to support Virginia Preschool Initiative slots to serve children on wait lists. In each year, unused grants distributed as provided in paragraph C.14.a.4) of this Item shall be redistributed based on guidelines established by the Department of Education subject to the appropriation available for this purpose. Such guidelines shall provide the criteria used to redistribute grants and provide for the notification of grants redistribution to programs no later than July 1 of each year. The Department shall conduct this process annually, and the redistribution shall not affect the allocation formula for the subsequent year.				
g.1) Out of this appropriation, \$4,886,000 the first year and \$8,334,384 the second year from the general fund is provided to support an add-on grant per child for approximately 2,000 children to incentivize mixed-delivery of services through private providers. These add-on grants are intended to provide funds to minimize the difference between the amount of the per-pupil grant allocation and the per-pupil cost to serve a child in a community-based or private provider setting. Recipients of the add-on grants will be encouraged to support classrooms that support inclusive practices of children with special needs. Localities shall indicate in their plans submitted pursuant to C.14.b.1) of this Item how many of their Virginia Preschool Initiative slots will be provided in community-based or private provider settings to receive the add-on grant.				
2) In the first year, the amount of these add-on grants for community-based or private providers shall vary by region and provide a grant of: (i) \$3,500 per child for divisions in Planning District Eight, (ii) \$2,500 per child for divisions in Planning District 15, Planning District 23, and for the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, and (iii) \$1,500 per child in any other division. In the second year, these add-on grants shall be informed by the Department of Education's methodology to estimate the actual cost of providing high-quality early childhood education services in community-based settings. In the Department's report on this methodology to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees, required by Item 129.O, the Department shall include recommendations for the amount of these add-on grants in the second year. This reporting requirement is not intended as a mandate to increase the individual amounts of these add-on grants or to increase the state appropriation supporting these add-on grants. The Department of Education is authorized to prorate payments for these add-on grants so as not to exceed the available appropriation.				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>3) The Department of Education shall develop a plan to determine the magnitude of the gap between regional prevailing child care market rates and the Virginia Preschool Initiative per pupil amount. The Department shall establish a schedule designating the amount of the add-on grants for each school division for fiscal year 2023. The amount of the add-on grant plus the Virginia Preschool Initiative per pupil amount shall not exceed prevailing child care market rates in a particular region.</p>				
<p>h. Out of this appropriation, \$7,711,560 the first year and \$7,711,560 the second year from the general fund is provided to support increased Virginia Preschool Initiative teacher to student ratios and class sizes, as follows:</p>				
<p>1) Any classroom that exceeds benchmarks set by the Board of Education shall be staffed as follows: (i) one teacher shall be provided for any class of ten students or less; (ii) if the enrollment in any class exceeds ten students but does not exceed 20, a full-time teacher's aide shall be assigned to the class; and (iii) the maximum class size shall be 20 students.</p>				
<p>2) All other classrooms shall be staffed as follows: (i) one teacher shall be employed for any class of nine students or less; (ii) if the enrollment in any class exceeds nine students but does not exceed 18, a full-time teacher's aide shall be assigned to the class; and (iii) the maximum class size shall be 18 students.</p>				
<p>i. Out of this appropriation, \$306,100 the first year and \$306,100 the second year from the general fund is allocated for the Department of Education to provide grants of no more than \$30,000 each for local school divisions that have applied for such funds for the sole purpose of providing financial incentives to provisionally licensed teachers teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division and who are actively engaged in coursework and professional development, toward achieving the required degree and license that satisfy the licensure requirements reflected in § 22.1-299, Code of Virginia. School divisions must submit applications to the Department of Education by December 1 of each year. Priority for awarding grants shall be given to hard-to-staff schools and schools with the highest number of provisionally licensed teachers teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division. The Department of Education shall develop the application process to be provided to school divisions that have provisionally licensed preschool teachers employed and are teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division.</p>				
<p>j. 1.) The Department of Education shall collect information from local Virginia Preschool Initiative programs and from pilot providers participating in the Virginia Early Childhood Foundation's pilot Mixed-Delivery Preschool Initiative established in Item 136 as needed to compile a comprehensive report on the usage of state funds detailing, but not limited to the number of calculated slots and funding allocated to each local program or pilot provider, and the number of such slots that have been filled.</p>				
<p>2.) Such comprehensive report shall be aggregated in a manner to identify: (i) funding and the number of slots used to serve a student in a public school and non-public school setting, (ii) the number of three-year olds served, (iii) waitlist slots requested, offered, and provided, (iv) the number of students served whose families are at or below 130 percent poverty, above 130 percent but at or below 200 percent of poverty, above 200 percent but at or below 350 percent of poverty, and above 350 percent of poverty.</p>				
<p>3.) Such comprehensive report shall describe the Virginia Preschool Initiative programs' progress towards the target inclusion rate, such that 10 percent of all children enrolled in each program are children with disabilities, defined as those with an Individualized Education Plan. Virginia Preschool Initiative programs shall report the share of children with Individualized Education Plans in inclusive classrooms annually starting with the 2020-2021 school year. If the program's current inclusion rate falls below 10 percent, the program shall provide reasons a 10 percent inclusion rate was not achieved in the given school year and what actions the program could implement to increase its rate of inclusion in the next year.</p>				
<p>4.) The Department shall submit such comprehensive report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than</p>				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

December 31 each year.

5.) The Department shall develop a plan for comprehensive public reporting on early childhood expenditures, outcomes, and program quality to replace this reporting requirement. Such plan and subsequent reports shall consider the components included in this reporting requirement, and include all publicly-funded providers as defined in Chapter 860 and Chapter 861, 2020 Acts of Assembly. The plan shall identify any fiscal, legislative, or regulatory barriers to implementing such public reporting, and shall consider integration with the Department's School Quality Profiles. The Department of Education shall submit an update on implementation of the plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 each year. Once fully implemented, the Department of Education shall update and submit the report by December 1 of each year.

k. Out of this appropriation, \$5,453,795 the first year and \$5,453,795 the second year from the general fund is provided as flexible funding available to supplement any of the other initiatives provided in section C.14 of this item. Additionally, within the fiscal year, any funds appropriated for Virginia Preschool Initiative Payments that are not awarded may be used as flexible funding to supplement any of the other initiatives provided in paragraph C.14 of this Item. The Department of Education shall prioritize serving at-risk four-year-old children when executing the flexibility provisions in this paragraph.

15. Early Reading Intervention Payments

a. An additional payment of \$51,193,084 the first year and \$51,352,970 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing early reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests of any local school board that requests authority to use a test other than the state-provided test to ensure that such local test uses criteria for the early diagnosis of reading deficiencies that are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of five to one. The estimated number of students in each school division in each year shall be determined by multiplying the projected number of students reported in each school division's fall membership in grades kindergarten, 1, 2, and 3 by the percent of students who are determined to need services based on diagnostic tests administered in the most recent year that data is available in that school division.

c. These payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. At the beginning of the school year, local school divisions shall partner with the parents of those third grade students in the division who demonstrate reading deficiencies, discussing with them a developed plan for remediation and retesting. Such intervention programs, at the discretion of the local school division, may include, but not be limited to, the use of: special reading teachers; trained aides; full-time early literacy tutors; volunteer tutors under the supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class groups while the teacher provides direct instruction to the students who need extra assistance; or extended instructional time in the school day or year for these students. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

d. In the event that a school division does not use the diagnostic test provided by the Department of Education in the year that serves as the basis for updating the funding formula for this program but has used it in past years, the Department of Education shall use the most recent data available for the division for the state-provided diagnostic test.

e. The results of all reading diagnostic tests and reading remediation shall be discussed with

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

the student and the student's parent prior to the student being promoted to grade four.

f. Funds appropriated for Standards of Quality Prevention, Intervention, and Remediation, Remedial Summer School, or At-Risk Add-On may also be used to meet the requirements of this program.

16. Standards of Learning Algebra Readiness Payments

a. An additional payment of \$15,775,313 the first year and \$15,781,896 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing math intervention services to students in grades 6, 7, 8 and 9 who are at-risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on diagnostic tests which have been approved by the Department of Education. These amounts reflect \$200,000 the first year and \$200,000 the second year apportioned to each school division to account for the cost of the diagnostic test. The Department of Education shall review the tests to ensure that such local test uses state-provided criteria for diagnosis of math deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of ten to one. The estimate number of students in each school division shall be determined by multiplying the projected number of students reported in each school division's fall membership by the percent of students that qualify for the federal Free Lunch Program.

c. These payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

17. English as a Second Language Payments

A payment of \$98,474,887 the first year and \$106,864,471 the second year from the general fund shall be disbursed by the Department of Education to local school divisions to support the state share of 20 professional instructional positions per 1,000 students for whom English is a second language. Local school divisions shall provide a local match based on the composite index of local ability-to-pay.

18. Special Education Instruction Payments

a. The Department of Education shall establish rates for all elements of Special Education Instruction Payments.

b. Out of the appropriations in this Item, the Department of Education shall make available, subject to implementation by the Superintendent of Public Instruction, an amount estimated at \$85,831,709 the first year and \$90,831,709 the second year from the Lottery Proceeds Fund for the purpose of the state's share of the tuition rates for approved public Special Education Regional Tuition school programs. Notwithstanding any contrary provision of law, the state's share of the tuition rates shall be based on the composite index of local ability-to-pay.

c. Out of the amounts for Financial Assistance for Categorical Programs, \$38,917,404 the first year and \$39,161,334 the second year from the general fund is appropriated to permit the Department of Education to enter into agreements with selected local school boards for the provision of educational services to children residing in certain hospitals, clinics, and detention homes by employees of the local school boards. The portion of these funds provided for educational services to children residing in local or regional detention homes shall only be determined on the basis of children detained in such facilities through a court order issued by a court of the Commonwealth. The selection and employment of

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>instructional and administrative personnel under such agreements will be the responsibility of the local school board in accordance with procedures as prescribed by the local school board. State payments for the first year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2022 and the first three quarters of FY 2023. State payments for the second year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2023 and the first three quarters of FY 2024.</p>				
<p>19. Vocational Education Instruction Payments</p>				
<p>a. It is the intention of the General Assembly that the Department of Education explore initiatives that will encourage greater cooperation between jurisdictions and the Virginia Community College System in meeting the needs of public school systems.</p>				
<p>b. This appropriation includes \$1,800,000 the first year and \$1,800,000 the second year from the Lottery Proceeds Fund for secondary vocational-technical equipment. A base allocation of \$2,000 each year shall be available for all divisions, with the remainder of the funding distributed on the basis of student enrollment in secondary vocational-technical courses. State funds received for secondary vocational-technical equipment must be used to supplement, not supplant, any funds currently provided for secondary vocational-technical equipment within the locality. Local school divisions are not required to provide a local match in order to receive these state funds.</p>				
<p>c.1) This appropriation includes an additional \$2,000,000 the first year and \$2,000,000 the second year from the Lottery Proceeds Fund to update vocational-technical equipment to industry standards providing students with classroom experience that translates to the workforce.</p>				
<p>2) Of this amount, \$1,400,000 the first year and \$1,400,000 the second year is provided for vocational-technical equipment in high-demand, high-skill, and fast-growth industry sectors as identified by the Virginia Board of Workforce Development and based on data from the Bureau of Labor Statistics and the Virginia Employment Commission.</p>				
<p>3) Of this amount, \$600,000 the first year and \$600,000 the second year will be awarded based on competitive innovative program grants for high-demand and fast-growth industry sectors with priority given to state-identified challenged schools, the Governor's Science Technology, Engineering, and Mathematics (STEM) academies, and the Governor's Health Science Academies.</p>				
<p>d. This appropriation includes \$1,831,464 the first year and \$1,831,464 the second year from the Lottery Proceeds Fund to support the Path to Industry Certification program. Of this amount, \$500,000 the first year and \$500,000 the second year shall support credentialing testing materials for students and professional development for instructors in science, technology, engineering, and mathematics-health sciences (STEM-H) career and technical education programs.</p>				
<p>20. Adult Education Payments</p>				
<p>State funds shall be used to reimburse general adult education programs on a fixed cost per pupil or cost per class basis. No state funds shall be used to support vocational noncredit courses.</p>				
<p>21. General Education Payments</p>				
<p>a. This appropriation includes \$2,410,988 the first year and \$2,410,988 the second year from the Lottery Proceeds Fund to support Race to GED. Out of this appropriation, \$465,375 the first year and \$465,375 the second year shall be used for PluggedIn VA.</p>				
<p>b. This appropriation includes \$1,387,240 the first year and \$1,387,240 the second year from the Lottery Proceeds Fund to support Project Graduation and any associated administrative and contractual service expenditures related to this initiative.</p>				
<p>22. Individual Student Alternative Education Program (ISAEP) Payments</p>				
<p>Out of this appropriation, \$2,247,581 the first year and \$2,247,581 in the second year from the Lottery Proceeds Fund shall be provided for the secondary schools' Individual Student</p>				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Alternative Education Program (ISAEP), pursuant to Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly.				
23. Foster Children Education Payments				
<p>a. An additional state payment is provided from the Lottery Proceeds Fund for the prior year's local operations costs, as determined by the Department of Education, for each pupil not a resident of the school division providing his education (a) who has been placed in foster care or other custodial care within the geographical boundaries of such school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children; (b) who has been placed in an orphanage or children's home which exercises legal guardianship rights; (c) who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home; or (d) who is a student that was formerly in foster care upon reaching 18 years of age but who has not yet reached 22 years of age. For pupils included in subsection (d), the school division shall keep an accurate record of the number of days in which such child was enrolled in its public schools and shall be included in the division's certification provided to the Board of Education by July 1 each school year per § 22.1-101.1 C, Code of Virginia.</p> <p>b. This appropriation provides \$12,661,313 the first year and \$12,878,410 the second year from the Lottery Proceeds Fund to support children attending public school who have been placed in foster care or other such custodial care across jurisdictional lines, as provided by subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these funds are not adequate to cover the full costs specified therein, the Department is authorized to expend unobligated balances in this Item for this support.</p>				
24. Sales Tax Payments				
<p>a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a portion of net revenue from the state sales and use tax, in support of the Standards of Quality (Title 22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion of August 3, 1982).</p> <p>b. Certification of payments and distribution of this appropriation shall be made by the State Comptroller.</p> <p>c. The distribution of state sales tax funds shall be made in equal bimonthly payments at the middle and end of each month.</p>				
25. Adult Literacy Payments				
<p>a. Appropriations in this Item include \$125,000 the first year and \$125,000 the second year from the general fund for the ongoing literacy programs conducted by Mountain Empire Community College.</p> <p>b. Out of this appropriation, the Department of Education shall provide \$100,000 the first year and \$100,000 the second year from the general fund for the Virginia Literacy Foundation grants to support programs for adult literacy including those delivered by community-based organizations and school divisions providing services for adults with 0-9th grade reading skills.</p>				
26. Governor's School Payments				
<p>a. Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of regular school year Governor's Schools based on each participating locality's composite index of local ability-to-pay. Participating school divisions must certify that no tuition is assessed to students for participation in this program.</p> <p>b.1) Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of summer residential Governor's Schools and Foreign Language Academies to be based on the greater of the state's share of the composite index of local ability-to-pay or 50 percent. Participating school divisions must certify that no tuition is assessed to students for participation in this</p>				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>program if they are enrolled in a public school.</p> <p>2) Out of the amounts for Governor's School Payments, \$41,000 the first year and \$41,000 the second year is provided to support the Hanover Regional Summer Governor's School for Career and Technical Advancement, which was established pursuant to Chapter 425, 2014 Acts of Assembly, and Chapter 665, 2015 Acts of Assembly.</p> <p>c. For the Summer Governor's Schools and Foreign Language Academies programs, the Superintendent of Public Instruction is authorized to adjust the tuition rates, types of programs offered, length of programs, and the number of students enrolled in order to maintain costs within the available state and local funds for these programs.</p> <p>d. It shall be the policy of the Commonwealth that state general fund appropriations not be used for capital outlay, structural improvements, renovations, or fixed equipment costs associated with initiation of existing or proposed Governor's schools. State general fund appropriations may be used for the purchase of instructional equipment for such schools, subject to certification by the Superintendent of Public Instruction that at least an equal amount of funds has been committed by participating school divisions to such purchases.</p> <p>e. The Board of Education shall not take any action that would increase the state's share of costs associated with the Governor's Schools as set forth in this Item. This provision shall not prohibit the Department of Education from submitting requests for the increased costs of existing programs resulting from updates to student enrollment for school divisions currently participating in existing programs or for school divisions that begin participation in existing programs.</p> <p>f.1) Regular school year Governor's Schools are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs for each student attending a Governor's School up to a cap of 1,800 students per Governor's School in the first year and a cap of 1,800 students per Governor's School in the second year. This incremental per pupil payment shall be adjusted for the composite index of the school division that counts such students attending an academic year Governor's School in their March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the Governor's Schools for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the day that the student does not attend a Governor's School.</p> <p>2) Students attending a revolving Academic Year Governor's School program for only one semester shall be counted as 0.50 of a full-time equivalent student and will be funded for only fifty percent of the full-year funded per pupil amount. Funding for students attending a revolving Academic Year program will be adjusted based upon actual September 30th and January 30th enrollment each fiscal year. For purposes of this Item, revolving programs shall mean Academic Year Governor's School programs that admit students on a semester basis.</p> <p>3) Students attending a continuous, non-revolving Academic Year Governor's School program shall be counted as a full-time equivalent student and will be funded for the full-year funded per pupil amount. Funding for students attending a continuous, non-revolving Academic Year Governor's School program will be adjusted based upon actual September 30th student enrollment each fiscal year. For purposes of this Item, continuous, non-revolving programs shall mean Academic Year Governor's School programs that only admit students at the beginning of the school year. Fairfax County Public Schools shall not reduce local per pupil funding for the Thomas Jefferson Governor's School below the amounts appropriated for the 2003-2004 school year.</p> <p>g. All regional Governor's Schools are encouraged to provide full-day grades 9 through 12 programs.</p> <p>h. Out of the appropriation included in paragraph C.37. of this item, \$1,052,140 the first year and \$2,402,751 the second year from the general fund is provided in the Academic Year Governor's School funding allocation to increase the per pupil amount as an add-on for a compensation supplement equal to 5.0 percent of base pay on August 1, 2022, and an</p>				



ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

additional 5.0 percent of base pay on July 1, 2023, for Academic Year Governor's School instructional and support positions.

i. Each Academic Year Governor's School shall set diversity goals for its student body and faculty, develop a plan to meet said goals in collaboration with community partners at public meetings, and such goals and plan shall be published on the school's website. Each school shall submit a report to the Governor by October 1 of each year on its goals and status of implementing its plan, and such report shall be published on the school's website. The report shall include, but not be limited to the following: utilization of universal screenings in feeder divisions; admission processes in place or under consideration that promote access for historically underserved students; and outreach and communication efforts deployed to recruit historically underserved students. The report shall include the racial/ethnic make-up and socioeconomic diversity of its students, faculty, and applicants.

27. School Nutrition Payments

It is provided that, subject to implementation by the Superintendent of Public Instruction, no disbursement shall be made out of the appropriation for school nutrition to any locality in which the schools permit the sale of competitive foods in food service facilities or areas during the time of service of food funded pursuant to this Item.

28. School Breakfast Payments

a. Out of this appropriation, \$9,637,895 the first year and \$11,898,741 the second year from the Lottery Proceeds Fund is included to continue a state funded incentive program to maximize federal school nutrition revenues and increase student participation in the school breakfast program. These funds are available to any school division as a reimbursement for breakfast meals served that are in excess of the baseline established by the Department of Education. The per meal reimbursement shall be \$0.22; however, the department is authorized, but not required to reduce this amount proportionately in the event that the actual number of meals to be reimbursed exceeds the number on which this appropriation is based so that this appropriation is not exceeded.

b. In order to receive these funds, school divisions must certify that these funds will be used to supplement existing funds provided by the local governing body and that local funds derived from sources that are not generated by the school nutrition programs have not been reduced or eliminated. The funds shall be used to improve student participation in the school breakfast program. These efforts may include, but are not limited to, reducing the per meal price paid by students, reducing competitive food sales in order to improve the quality of nutritional offerings in schools, increasing access to the school breakfast program, or providing programs to increase parent and student knowledge of good nutritional practices. In no event shall these funds be used to reduce local tax revenues below the level appropriated to school nutrition programs in the prior year. Further, these funds must be provided to the school nutrition programs and may not be used for any other school purpose.

c.1) Out of this appropriation, \$1,074,000 the first year and \$1,074,000 the second year from the general fund is provided to fund an After-the-Bell Model breakfast program available on a voluntary basis to elementary, middle, and high schools where student eligibility for free or reduced lunch exceeds 45.0 percent for the participating eligible school, and to provide additional reimbursement for eligible meals served in the current traditional school breakfast program at all grade levels in any participating school. The Department of Education is directed to ensure that only eligible schools receive reimbursement funding for participating in the After-the-Bell school breakfast model. The schools participating in the program shall evaluate the educational impact of the models implemented that provide school breakfasts to students after the first bell of the school day, based on the guidelines developed by the Department of Education and submit the required report to the Department of Education no later than August 31 each year.

2) The Department of Education shall communicate, through Superintendent's Memo, to school divisions the types of breakfast serving models and the criteria that will meet the requirements for this State reimbursement, which may include, but are not limited to, breakfast in the classroom, grab and go breakfast, or a breakfast after first period. School divisions may determine the breakfast serving model that best applies to its students, so

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	<p>long as it occurs after the instructional day has begun. The Department of Education shall monthly transfer to each school division a reimbursement rate of \$0.05 per breakfast meal that meets either of the established criteria in elementary schools and a reimbursement rate of \$0.10 per breakfast meal that meets either of the established criteria in middle or high schools.</p>			
	<p>3) No later than July 1 each year, the Department of Education shall provide for a breakfast program application process for school divisions with eligible schools, including guidelines regarding specified required data to be compiled from the prior school year or years and for the upcoming school year program. The number of approved applications shall be based on the estimated number of sites that can be accommodated within the approved funding level. The Department of Education shall set criteria for establishing priority should the number of applications from eligible schools exceed the approved funding level. The reporting requirements must include: chronic absenteeism rates, student attendance and tardy arrivals, office discipline referrals, student achievement measures, teachers' and administrators' responses to the impact of the program on student hunger, student attentiveness, and overall classroom learning environment before and after implementation, and the financial impact on the division's school food program. Funded schools that do not provide data by August 31 are subject to exclusion from funding in the following year. The Department of Education shall collect and compile the results of the breakfast program and shall submit the report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 1 following each school year.</p>			
	<p>29. Clinical Faculty and Mentor Teacher Program Payments</p>			
	<p>This appropriation includes \$1,000,000 the first year and \$1,000,000 the second year from the Lottery Proceeds Fund to be paid to local school divisions for statewide Mentor Teacher Programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. This appropriation also includes \$318,750 the first year and \$318,750 the second year from the general fund for Clinical Faculty programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. Such programs shall include elements which are consistent with the following:</p>			
	<p>a. An application process for localities and school/higher education partnerships that wish to participate in the programs;</p>			
	<p>b. For Clinical Faculty programs only, provisions for a local funding or institutional commitment of 50 percent, to match state grants of 50 percent;</p>			
	<p>c. Program plans which include a description of the criteria for selection of clinical faculty and mentor teachers, training, support, and compensation for clinical faculty and mentor teachers, collaboration between the school division and institutions of higher education, the clinical faculty and mentor teacher assignment process, and a process for evaluation of the programs;</p>			
	<p>d. The Department of Education shall allow flexibility to local school divisions and higher education institutions regarding compensation for clinical faculty and mentor teachers consistent with these elements of the programs; and</p>			
	<p>e. It is the intent of the General Assembly that no preference between pre-service or beginning teacher programs be construed by the language in this Item. School divisions operating beginning teacher mentor programs shall receive equal consideration for funding.</p>			
	<p>30. Career Switcher/Alternative Licensure Payments</p>			
	<p>Appropriations in this Item include \$279,983 the first year and \$279,983 the second year from the general fund to provide grants to school divisions that employ mentor teachers for new teachers entering the profession through the alternative route to licensure as prescribed by the Board of Education.</p>			
	<p>31. Virginia Workplace Readiness Skills Assessment</p>			
	<p>Appropriations in this Item include \$308,655 the first year and \$308,655 the second year from the general fund to provide support grants to school divisions for standard diploma graduates. To provide flexibility, school divisions may use the state grants for the actual assessment or for other industry certification preparation and testing.</p>			

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

32. Early Reading Specialists Initiative

a. An additional payment of \$3,476,790 the first year and \$3,476,790 the second year from the general fund shall be disbursed by the Department of Education to qualifying local school divisions for the purpose of providing a reading specialist for schools with a third grade that rank lowest statewide on the reading Standards of Learning (SOL) assessments. Funding for a reading specialist during the 2022-2024 biennium shall be based on the results of the Spring 2021 reading SOL assessments. Such schools shall be eligible to receive the state share of funding for both years of the biennium. Following certification from a school division that it will not participate in the program, the Department is authorized to identify additional eligible schools based upon the list of schools that rank lowest on the Spring 2021 SOL reading assessment.

b. These payments shall be based on the state's share of the cost of providing one reading specialist per qualifying school.

c. These payments are available to any school division with a qualifying school that certifies to the Department of Education that the division has hired a reading specialist or reading coach to provide direct services to children reading below grade level in the school to improve reading achievement for the purpose of creating additional instructional time for reading specialists or reading coaches to work with students reading below grade level to improve reading achievement. Additionally, school divisions shall certify that the reading specialists or reading coaches hired pursuant to this program are in addition to the reading specialist positions funded through Basic Aid and required pursuant to B.7.h. of this Item to serve students at the qualifying school.

d. These payments also are available to any school division with a qualifying school that certifies to the Department of Education that the division is supporting tuition for collegiate programs and instruction for currently employed instructional school personnel to earn the credentials necessary to meet licensure requirements to be endorsed as a reading specialist. Additionally, school divisions shall certify that the currently employed instructional school personnel whose tuition is supported pursuant to this program are in addition to the reading specialist positions funded through Basic Aid and required pursuant to B.7.h. of this Item to serve students at the qualifying school.

e. School divisions receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

f. Within the fiscal year, any funds not awarded from this program may be awarded to eligible schools under the Math/Reading Instructional Specialist Initiative.

33. Math/Reading Instructional Specialist Initiative

a. Included in this appropriation is \$1,834,538 the first year and \$1,834,538 the second year from the general fund in additional payments for reading or math instructional specialists at underperforming schools. From this amount, the state share of one reading or math specialist shall be provided to local school divisions with schools which rank lowest statewide on the Spring Standards of Learning (SOL) math or reading assessment. Funding for one math or reading specialist during the 2022-2024 biennium shall be based on the results of the Spring 2021 SOL assessments. Such schools shall be eligible to receive the state share of funding for both years of the biennium. If, following certification from a school division that it will not participate in the program, the Department is authorized to identify additional eligible schools based upon the list of schools that rank lowest on the Spring 2021 SOL math or reading assessment.

b. These payments are available to any school division with a qualifying school that certifies to the Department of Education that the division has (1) hired a math or reading instructional specialist, or (2) is supporting tuition for collegiate programs and instruction for currently employed instructional school personnel to earn the credentials necessary to meet licensure requirements to be endorsed as a math specialist or a reading specialist. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

c. School divisions that elect to use funding to support tuition for collegiate programs and

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

instruction for currently employed instructional school personnel pursuant to paragraph b. shall provide documentation of these costs to the Department of Education prior to receiving state funds. The Department of Education shall provide state funding for the lesser of the actual cost or the state share of a math or reading specialist position per eligible school for funds used in such a manner.

d. The Department of Education is authorized to utilize available funding appropriated to the Early Reading Specialist Initiative contained in this Item to pay for instructional specialists at additional eligible schools, or to support tuition for collegiate programs and instruction for currently employed instructional school personnel at additional eligible schools to earn the credentials necessary to meet licensure requirements to be endorsed as an instructional specialist.

e. Within the fiscal year, any funds not awarded from this program may be awarded to eligible schools under the Early Reading Specialists Initiative.

f. The Department of Education may award prorated state funds for specialist positions filled after the beginning of the school year.

34. Broadband Connectivity Capabilities

By November 1 each year, school divisions shall report to the Department of Education the status of broadband connectivity capability of schools in the division on a form to be provided by the Department. Such report shall include school-level information on the method of Internet service delivery, the level of bandwidth capacity and the degree such capacity is sufficient for delivery of school-wide digital resources and instruction, degree of internet connectivity via Wi-Fi, cost information related to Internet connectivity, data security, and such other pertinent information as determined by the Department of Education. The Department shall provide a summary of the division responses in a report to be made available on its agency Web site.

35. Infrastructure and Operations Per Pupil Funds

a. Out of this appropriation, an amount estimated at \$276,361,274 the first year and \$276,361,272 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated \$407.41 per pupil the first year and \$406.04 per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. These funds shall be matched by the local government, based on the composite index of local ability-to-pay. Further, in order to receive this funding, the locality in which the school division is located shall appropriate these funds solely for educational purposes and shall not use such funds to reduce total local operating expenditures for public education below the amount expended by the locality for such purposes in the year upon which the 2020-2022 biennial Standards of Quality expenditure data were based; provided however that no locality shall be required to maintain a per-pupil expenditure which is greater than the per pupil amount expended by the locality for such purposes in the year upon which the 2020-2022 biennial Standards of Quality expenditure data were based. The Department of Education is authorized each year to temporarily suspend Infrastructure and Operations Per Pupil Allocation payments made to school divisions from Lottery funds to ensure that any shortfall in Lottery revenue can be accounted for in the remaining Infrastructure and Operations Per Pupil Allocation payments to be made for the year.

b. From the amounts listed above, funds are provided to ensure that small school divisions receive an Infrastructure and Operations payment of at least \$200,000 each year. Divisions receiving additional funds for a payment of at least \$200,000 shall only be required to provide the local match on the per pupil amount distributed in paragraph C.35.a.

c. Of the amounts listed above, no more than 60 percent shall be used for recurring costs and at least 40 percent shall be spent on nonrecurring expenditures by the relevant school divisions. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, school buses, technology, and other expenditures related to modernizing classroom equipment, and debt service payments on school projects completed or initiated during the last 10 years. The Department of Education shall consider such

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>nonrecurring expenses by school divisions from local funds to be credited toward their required local match under this program.</p>				
<p>d. Any funds provided to school divisions that are unexpended as of June 30, 2023, and June 30, 2024, shall not revert to the Commonwealth but shall be carried on the books of the locality in local escrow accounts pursuant to § 22.1-175.5, to be appropriated to the school division for use for the same purpose.</p>				
<p>36. Special Education Endorsement Program</p>				
<p>a. Notwithstanding § 22.1-290.02, Code of Virginia, out of this appropriation, \$437,186 the first year and \$437,186 the second year from the general fund is provided for traineeships and program operation grants that shall be awarded to public Virginia institutions of higher education to prepare persons who are employed in the public schools of Virginia, state operated programs, or regional special education centers as special educators with a provisional license and enrolled either part-time or full-time in programs for the education of children with disabilities. Applicants shall be graduates of a regionally accredited college or university.</p>				
<p>b. The award of such grants shall be made by the Department of Education, and the number of awards during any one year shall depend upon the amounts appropriated by the General Assembly for this purpose. The amount awarded for each traineeship shall be \$600 for a minimum of three semester hours of course work in areas required for the special education endorsement to be taken by the applicant during a single semester or summer session. Only one traineeship shall be awarded to a single applicant in a single semester or summer session.</p>				
<p>37. Compensation Supplement</p>				
<p>a. Out of this appropriation, \$231,754,237 the first year and \$525,462,688 the second year from the general fund is provided for the state share of the following salary increases and related fringe benefit costs:</p>				
<p>1) For the first year, a 5.0 percent salary increase effective August 1, 2022, for funded SOQ instructional and support positions. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of up to a 5.0 percent salary increase effective August 1, 2022, to school divisions that certify to the Department of Education that an equivalent increase will be provided to instructional and support personnel the first year. The state share of funding provided to a school division in support of this compensation supplement shall be prorated for school divisions that provide less than an average 5.0 percent salary increase the first year; however, to access these funds, a school division must provide at least an average 2.5 percent salary increase the first year.</p>				
<p>2) For the second year, an additional 5.0 percent salary increase effective July 1, 2023, for funded SOQ instructional and support positions. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of up to an additional 5.0 percent salary increase effective July 1, 2023, to school divisions that certify to the Department of Education that an equivalent increase will be provided to instructional and support personnel the second year. The state share of funding provided to a school division in support of this compensation supplement shall be prorated for school divisions that provide less than an additional average 5.0 percent salary increase the second year; however, to access these funds, a school division must provide at least an average 2.5 percent salary increase the first year and at least an additional average 2.5 percent salary increase the second year.</p>				
<p>3) Payments in the second year to any school division shall be based on providing the funds needed to continue the first year increase actually provided by the division plus the increase provided by the division in the second year.</p>				
<p>b. Out of this appropriation, \$1,052,140 the first year and \$2,402,751 the second year from the general fund is provided for the state share of the salary increases stated in paragraph a. above for Academic Year Governor's Schools, and \$750,443 the first year and \$1,648,377 the second year from the Lottery Proceeds fund is provided for the state share of these salary increases for Regional Alternative Education Programs.</p>				

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
c. It is the intent that the average instructional and support position salaries are increased in local school divisions throughout the state by at least 5.0 percent the first year, at least an additional 5.0 the second year, resulting in a combined increase of at least 10.25 percent during the biennium.				
d. The state funds that the school division is eligible to receive shall be matched by the local government based on the composite index of local ability-to-pay. This local match shall be calculated for funded SOQ instructional and support positions using an effective date of August 1, 2022, the first year and July 1, 2023, the second year. Local school divisions shall certify to the Department of Education that funds used as the local match are derived solely from local revenue sources.				
e. This funding is not intended as a mandate to increase salaries.				
38. School Meals Expansion				
Out of this appropriation, \$4,100,000 the first year and \$4,100,000 the second year from the general fund is provided for local school divisions to reduce or eliminate the cost of school breakfast and school lunch for students who are eligible for reduced price meals under the federal National School Lunch Program and School Breakfast Program. The Department of Education is authorized to reduce this amount proportionately so as not to exceed this appropriation.				
39. Alleghany County - Covington City School Division Consolidation Incentive				
Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund is provided as an incentive for the consolidation of the Alleghany County and Covington City school divisions. These incentive payments represent the third and fourth installments of five \$600,000 payments as recommended for this consolidation incentive through the methodology contained in the Study on School Division Joint Contracting Incentives (Report Document 548, 2016). In fiscal year 2025, \$600,000 shall be provided as the incentive payment, with no adjustments.				
40. Hold Harmless for Rebenchmarking Data Affected by COVID-19				
Out of this appropriation, \$177,079,892 the first year and \$177,441,317 the second year from the general fund is provided to support an additional payment based on the state's share of Standards of Quality Basic Aid and Special Education payments to school divisions in the 2022-2024 biennium in response to unanticipated reductions in the base year rebenchmarking data for special education, pupil transportation, and non-personal support costs. This additional payment is based on child count and local expenditure projections for the base year rebenchmarking data that was affected by the mandatory school closings and virtual school settings that resulted from the COVID-19 pandemic. The projected data supporting this additional payment shall remain constant for the 2022-2024 biennium, and no subsequent technical updates shall be made to the data during the biennium that affect the appropriated amounts. These funds are provided to local school divisions pursuant to the Standards of Quality and shall be matched by the local government based on the composite index of local ability-to-pay. The Department of Education shall account for these funds in its calculations for required local effort, pursuant to paragraph B.8. of this Item and § 22.1-97, Code of Virginia. Local school divisions shall use these funds to support expenses allowable under Standards of Quality Basic Aid and Special Education.				
41. School Construction Grants Program				
a. Out of this appropriation, \$400,000,000 the first year from the general fund is provided for grants to school divisions for nonrecurring expenditures by the relevant school division. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, technology and other expenditures related to modernizing classroom equipment, school safety equipment or school safety renovations, and debt service payments on school projects completed or initiated during the last ten years. These funds shall not be used for the repair or replacement of parking lots or the replacement or modernization of school facilities that are predominantly used for extracurricular athletics activities.				
b. For any school construction projects funded with these grant proceeds, school divisions are encouraged to utilize best practices for construction and renovation, which may include value				

<b>ITEM 137.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2023</b>	<b>FY2024</b>

engineering, Leadership in Energy and Environmental Design (LEED) standards, or other relevant standards that would improve the health, safety, and quality of educational facilities.

c. Any funds provided to school divisions for school construction that are unexpended as of June 30, 2023, and June 30, 2024, shall not revert to the Commonwealth but shall be carried on the books of the locality in local escrow accounts pursuant to § 22.1-175.5, to be appropriated to the school division for use for the same purposes listed in Item 137 C.41.a.

42. Supplemental Support for Accomack and Northampton

An additional state payment of \$1,750,000 the first year from the Lottery Proceeds Fund shall be disbursed to provide one-time support to Accomack and Northampton school divisions for teacher recruitment and retention efforts, including adjustments to salary scales to minimize the misalignment to salary scales of adjacent counties.

43. School Construction Assistance Program.

a. Out of this appropriation, \$400,000,000 the first year from the general fund and \$50,000,000 the first year from the Literary Fund shall be transferred into the School Construction Fund for the Board of Education to award grants on a competitive basis from the Fund to local school boards that demonstrate poor building conditions, commitment, and need in order for such local school boards to fund the construction, expansion, or modernization of public school buildings. Any unobligated balance for this program on June 30, 2023, shall be reappropriated for expenditure in the second year for the same purpose.

b. The Board of Education shall develop guidelines for the administration of this program, which shall provide at a minimum that:

1. Grants shall be provided only for projects that conform to the Department of Education's "Guidelines for School Facilities in Virginia's Public Schools," as amended.

2. Grant awards shall be based on project costs, including planning, design, site acquisition and construction, the school division's local composite index, and the fiscal stress category as designated by the Virginia Commission on Local Government in its most recent "Report on Comparative Revenue Capacity, Revenue Effort, and Fiscal Stress of Virginia's Counties and Cities" for the locality that contains the school division, as follows:

<b>School Division</b>	<b>Grant Award Amount</b>
School divisions with a local composite index value below .3000, or contained in a locality designated with high fiscal stress	30 percent of project costs
School divisions with a local composite index value at or above .3000 and below .4000, or contained in a locality designated with above average fiscal stress	20 percent of project costs
All other school divisions	10 percent of project costs

3. A minimum qualifying score shall be met for a project to qualify for a grant award based on Board-developed scoring criteria. The Board shall set such minimum score at a level to ensure funds are reserved for critical school construction projects. Such scoring criteria shall provide appropriate weight to the following categories for the award of grants:

a.) Commitment, which may be demonstrated by factors such as: (i) an agreement by the local governing body to maintain or increase the percentage of local revenues dedicated to public education throughout the duration of the financing proposed for the project and (ii) the extent of project design and site acquisition for such project that has been completed prior to application of anticipated grant funds.

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
b.) Need, which may consider factors such as: (i) the percentage of students in the local school division eligible to receive free price meals; (ii) the percentage of residents of the locality in which the local school division is located with incomes at or below the federal poverty guidelines established by the U.S. Department of Health and Human Services; (iii) the local composite index of local ability-to-pay for the local school division; (iv) debt capacity of the locality in which the school division is located; and (v) the most recent fiscal stress score of the locality that includes the local school division as designated by the Virginia Commission on Local Government.				
c.) Poor school building conditions, which may consider factors such as: (i) the condition of the facilities proposed to be replaced or upgraded using these funds, including the current level of compliance of the existing facility with the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) and the facilities potential threat to the health or safety of building occupants; (ii) the school division maintenance reserve tool established pursuant to Chapter 650 of the 2022 General Assembly; and (iii) the overall condition of other facilities within the school division.				
4. If qualifying grant award requests exceed the amount of funds available, grants shall be awarded based on ranked project scores, and shall not be prorated.				
5. The release of funds to grant awardees shall be reasonably aligned with the timing of incurred expenses.				
6. A specific project shall only receive one grant award. The total project cost eligible to receive a grant shall be up to \$100,000,000. Grant awards shall not be amended for any additional reasonable project costs after the Board awards a grant to a division.				
c. For the purpose of this program, "project costs" shall include reasonable project construction costs as defined by the Board, including planning, design, site acquisition and construction, and not to include financing costs, outdoor facilities predominantly used for extracurricular athletic activities, loose equipment, and furniture.				
d. The Board of Education shall submit an executive summary of the program, including details on projects funded each year and any necessary legislative or budget recommendations to improve the program, no later than December 1 of each year to the Chairs of the House Education Committee, Senate Education and Health Committee, House Appropriations Committee, and Senate Finance and Appropriations Committee.				
44. College Partnership Laboratory Schools Fund				
a. Out of this appropriation, \$100,000,000 the first year from the general fund shall be deposited to the College Partnership Laboratory Schools Fund established pursuant to § 22.1-349.2, Code of Virginia.				
b. The Board of Education is authorized to award up to \$5,000,000 from the College Partnership Laboratory Schools Fund for planning grants to entities pursuing the creation of new college partnership laboratory schools.				
c. The Board of Education is authorized to award up to \$20,000,000 from the College Partnership Laboratory Schools Fund to approved college partnership laboratory schools to assist with initial startup costs.				
d. The Board of Education is authorized to distribute remaining amounts from the College Partnership Laboratory Schools Fund to support per-pupil costs for approved college partnership laboratory schools.				
e. Prior to the disbursement of funds from the College Partnership Laboratory Schools Fund, the Board of Education shall establish guidelines for the distribution and award of these funds and submit such guidelines to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2022. Such guidelines shall consider and be consistent with the distribution of state funds for Standards of Quality, Categorical, Incentive and Lottery program per-pupil costs.				
f. Notwithstanding the provisions of subsection A of § 22.1-349.1, Code of Virginia, for the purpose of this Item, a "college partnership laboratory school" means a public, nonsectarian,				



ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

nonreligious school in the Commonwealth established by a baccalaureate public institution of higher education.

g. All funds that have not been obligated for approved college partnership laboratory schools as of June 30, 2024 shall revert to the general fund.

45. ARPA Pandemic Bonus Payment

a. Item 486 includes \$130,122,981 the first year from distributions of the federal State and Local Recovery Fund (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA), as a provision of government services, for a one-time pandemic bonus payment of \$1,000 on December 1, 2022, per funded SOQ instructional position and support positions and per Academic Year Governor’s School and Regional Alternative Education Program instructional and support positions. Funded SOQ instructional positions shall include all teacher, guidance counselor, librarian, instructional aide, principal, and assistant principal positions funded through the SOQ staffing standards for each school division in the first year.

b. Sufficient funding is provided for the entire cost of an average \$1,000 bonus per funded SOQ instructional and support position in this act. Sufficient funding is provided for the entire cost of an average \$1,000 bonus per Academic Year Governor’s School and Regional Alternative Education Program instructional and support position based on fiscal year 2021 full-time equivalent position counts, as reported to the Department of Education. School divisions shall have discretion to determine the amount of bonuses per employee to maximize the use of these funds to promote retention among instructional and support positions in this act. The funds for which a division is eligible to receive shall require no match by the local government. Localities are encouraged to use additional available funds to provide pandemic bonuses to other eligible instructional and support positions.

138.	Federal Education Assistance Programs (17900).....		\$1,123,329,873	\$1,123,329,873
	Federal Assistance to Local Education Programs (17901).....	\$1,123,329,873	\$1,123,329,873	
	Fund Sources: Federal Trust.....	\$1,123,329,873	\$1,123,329,873	

Authority: PL 107-110, PL 108-446, PL 105-332, PL 105-220, PL 105-220, Federal Code.

a. The appropriation to support payments to school divisions from federal program grant funds is contained in this Item. Such federal program grant funds are based on the latest estimates available to the Department of Education and are provided here for informational purposes and are subject to change within each state fiscal year by the awarding federal agency. The Department of Education is directed to update the estimated federal program grant fund amounts contained in the table in this item on a periodic basis throughout the biennium.

b. The Department of Education will encourage localities to apply for Medicaid reimbursements for eligible special education expenditures which will help to increase available state and local funding for other educational activities and expenditures.

c. It is the intent of the General Assembly that in any fiscal year when revenues received or budgeted by the Commonwealth, applicable to any public education program, which were derived from a federally funded grant or program and subsequently realize a decrease in such funding levels, that the Commonwealth will not supplant any of the decreased federal funding received or budgeted with any general fund revenues from the Commonwealth.

Item Details of Federal Education Assistance Program Awards (17900)	FY 2023	FY 2024
School Nutrition - Breakfast, Lunch, Special Milk	\$369,078,569	\$369,078,569
School Nutrition - Summer Food Service Program and After School At-	\$14,250,000	\$14,250,000

ITEM 138.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
risk Program				
Fresh Fruit and Vegetables	\$5,274,822			\$5,274,822
Child Nutrition Programs Team Nutrition	\$276,840			\$276,840
Special Education - IDEA - Part B Section 611	\$299,665,859			\$299,665,859
Special Education - IDEA - Part B Section 619 - Preschool	\$9,086,006			\$9,086,006
Migration Education - Basic Grant	\$706,221			\$706,221
Migrant Education - Consortium Incentive Grants	\$81,457			\$81,457
Title I - Neglected & Delinquent Children	\$1,322,125			\$1,322,125
Title I Part A - Improving Basic Programs	\$283,711,358			\$283,711,358
Title II Part A - Improving Teacher Quality	\$38,829,605			\$38,829,605
Title III Part A - Language Acquisition State Grant	\$14,410,456			\$14,410,456
Title IV Part A - Student Support and Academic Enrichment Grant	\$19,221,969			\$19,221,969
Title IV Part B - 21st Century Community Learning Centers	\$19,328,073			\$19,328,073
Title VI - Rural and Low-Income Schools Adult Literacy	\$2,334,440			\$2,334,440
Vocational Education - Basic Grant	\$14,171,358			\$14,171,358
School Climate Transformation	\$26,483,927			\$26,483,927
Education for Homeless Children and Youth	\$749,701			\$749,701
Empowering Educators through a Systems Approach	\$1,860,209			\$1,860,209
Virginia School Mental Health Providers Recruitment and Retention	\$1,524,000			\$1,524,000
<b>Total</b>	<b>\$962,878</b>			<b>\$962,878</b>
<b>Total</b>	<b>\$1,123,329,873</b>			<b>\$1,123,329,873</b>
Total for Direct Aid to Public Education.....			<b>\$10,971,508,942</b>	<b>\$10,420,414,601</b>
Fund Sources: General.....	\$9,011,253,054	\$8,530,022,783		
Special.....	\$895,000	\$895,000		
Commonwealth Transportation.....	\$1,359,300	\$1,495,230		
Trust and Agency.....	\$834,671,715	\$764,671,715		
Federal Trust.....	\$1,123,329,873	\$1,123,329,873		
Grand Total for Department of Education, Central Office Operations.....			<b>\$11,389,465,958</b>	<b>\$10,846,346,175</b>
General Fund Positions.....	167.17	181.17		
Nongeneral Fund Positions.....	335.83	335.83		
Position Level.....	503.00	517.00		
Fund Sources: General.....	\$9,091,436,429	\$8,611,658,539		
Special.....	\$6,701,735	\$6,701,735		
Commonwealth Transportation.....	\$1,643,154	\$1,779,084		
Trust and Agency.....	\$862,658,940	\$799,181,117		
Federal Trust.....	\$1,427,025,700	\$1,427,025,700		
<b>§ 1-48. VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND (218)</b>				
139. Instruction (19700).....			\$5,902,567	\$5,902,567
Classroom Instruction (19701).....	\$5,702,307	\$5,702,307		
Occupational-Vocational Instruction (19703).....	\$158,065	\$158,065		

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Outreach and Community Assistance (19710).....	\$42,195	\$42,195		
Fund Sources: General.....	\$4,959,661	\$4,959,661		
Special.....	\$135,239	\$135,239		
Federal Trust.....	\$807,667	\$807,667		
Authority: §§ 22.1-346 through 22.1-349, Code of Virginia.				
140. Residential Support (19800).....			\$5,304,382	\$5,304,382
Food and Dietary Services (19801).....	\$464,940	\$464,940		
Medical and Clinical Services (19802).....	\$416,197	\$416,197		
Physical Plant Services (19803).....	\$2,173,672	\$2,173,672		
Residential Services (19804).....	\$1,890,848	\$1,890,848		
Transportation Services (19805).....	\$358,725	\$358,725		
Fund Sources: General.....	\$5,161,669	\$5,161,669		
Special.....	\$104,220	\$104,220		
Federal Trust.....	\$38,493	\$38,493		
Authority: Title 22.1, Chapter 19, Code of Virginia.				
141. Administrative and Support Services (19900).....			\$2,528,031	\$2,083,031
General Management and Direction (19901).....	\$2,528,031	\$2,083,031		
Fund Sources: General.....	\$2,264,324	\$1,819,324		
Special.....	\$210,237	\$210,237		
Federal Trust.....	\$53,470	\$53,470		
Authority: Title 22.1, Chapter 19, Code of Virginia.				
Notwithstanding any other provision of law, the Virginia School for the Deaf and Blind is authorized to retain the income generated by the rental of facilities on the Staunton campus to outside entities.				
Total for Virginia School for the Deaf and the Blind.....			<b>\$13,734,980</b>	<b>\$13,289,980</b>
General Fund Positions.....	185.50	185.50		
Position Level.....	185.50	185.50		
Fund Sources: General.....	\$12,385,654	\$11,940,654		
Special.....	\$449,696	\$449,696		
Federal Trust.....	\$899,630	\$899,630		

**§ 1-49. STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA (245)**

142. Higher Education Student Financial Assistance (10800).....			\$126,115,951	\$160,378,512
Scholarships (10810).....	\$125,925,951	\$160,188,512		
Regional Financial Assistance for Education (10813).....	\$190,000	\$190,000		
Fund Sources: General.....	\$120,855,951	\$155,118,512		
Special.....	\$5,010,000	\$5,010,000		
Dedicated Special Revenue.....	\$250,000	\$250,000		

Authority: Title 23.1, Chapter 6, Code of Virginia, Regional Grants and Contracts: Discretionary Inclusion; Undergraduate and Graduate Assistance: Discretionary Inclusion

A. Those private institutions which participate in the programs provided by the appropriations in this Item shall, upon request by the State Council of Higher Education, submit financial and other information which the Council deems appropriate.

B. Out of the amounts for Scholarships the following sums shall be made available for:

1. Tuition Assistance Grant Program, \$90,813,320 the first year and \$100,325,881 the

ITEM 142.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	second year from the general fund is designated for full-time undergraduate and graduate students.			
	2. a. Virginia Space Grant Consortium Scholarships, \$795,000 the first year and \$795,000 the second year from the general fund.			
	b. Out of the amounts included in this item, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to the Virginia Space Grant Consortium (VSGC) to provide scholarships for select high school students to participate in immersive ground and flight training through the solo experience as a step in addressing the critical pilot shortage. The VSGC shall work with Averett University and Liberty University to provide two sessions of its New Horizons solo academy giving 30 high school students the opportunity to accomplish their first solo flight.			
	c. Out of the amounts included in this item, \$220,375 the first year and \$220,375 the second year from the general fund shall be provided to the Virginia Space Grant Consortium to provide scholarships for high school students to participate in the Virginia Earth System Science Scholars program.			
	3. Out of this appropriation, \$20,000 the first year and \$20,000 the second year from the general fund is designated to provide grants of up to \$5,000 per year for Virginia students who attend schools and colleges of optometry. Each student receiving a grant shall agree to set up practice in the Commonwealth for a period of not less than two years upon completion of instruction.			
	4. No amount, or part of an amount, listed for any program specified under paragraph B shall be expended for any other program in this appropriation.			
	C. Tuition Assistance Grant Program			
	1. Payments to students out of this appropriation shall not exceed \$4,500 the first year and \$5,000 the second year for qualified undergraduate students and \$4,500 the first year and \$5,000 the second year for qualified graduate and medical students attending not-for-profit, independent institutions in accordance with § 23.1-628 through § 23.1-635, Code of Virginia. However, for those undergraduate students pursuing a career in teaching, payments shall be increased by an additional \$500 in their senior year.			
	2. The private institutions which participate in this program shall, during the spring semester previous to the commencement of a new academic year or as soon as a student is admitted for that year, whichever is later, notify their enrolled and newly admitted Virginia students about the availability of tuition assistance awards under the program. The information provided to students and their parents must include information about the eligibility requirements, the application procedures, and the fact that the amount of the award is an estimate and is not guaranteed. The number of students applying for participation and the funds appropriated for the program determine the amount of the award. Conditions for reduction of award amount and award eligibility are described in this Item and in the regulations issued by the State Council of Higher Education. The institutions shall certify to the council that such notification has been completed and shall indicate the method by which it was carried out.			
	3. Institutions participating in this program must submit annually to the council copies of audited financial statements.			
	4. To be eligible for a fall or full-year award out of this appropriation, a student's application must have been received by a participating independent college or by the State Council of Higher Education by July 31. Returning students who received the award in the previous year will be prioritized with the July 31 award. Applications for a fall or full-year award received after July 31 but no later than September 14 will be held for consideration if funds are available after July 31 and returning student awards have been made. Applications for spring semester only awards must be received by December 1 and will be considered only if funds remain available.			
	5. No limitations shall be placed on the award of Tuition Assistance Grants other than those set forth herein or in the Code of Virginia.			
	6. All eligible institutions not previously approved by the State Council of Higher Education			

ITEM 142.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>to participate in the Tuition Assistance Grant Program shall have received accreditation by a nationally recognized regional accrediting agency, prior to participation in the program or by the Commission on Osteopathic College Accreditation of the American Osteopathic Association in the case of freestanding institutions of higher education that offer the Doctor of Osteopathic Medicine as the sole degree program.</p>				
<p>7. Payments to undergraduate students shall be greater than payments to graduate and medical students and shall be based on a differential established by the State Council of Higher Education for Virginia.</p>				
<p>8. No awards shall be provided to graduate students except in health-related professional programs to include allied health, nursing, pharmacy, medicine, and osteopathic medicine.</p>				
<p>9. Notwithstanding any other provisions of law, Eastern Virginia Medical School is not eligible to participate in the Tuition Assistance Grant Program.</p>				
<p>10. Any general fund appropriation in the Tuition Assistance Grant Program which is unexpended at the close of business June 30 of any fiscal year shall be reappropriated for use in the program in the following year.</p>				
<p>11. a. New incoming students enrolled exclusively in an online education or distance learning program are eligible to receive awards up to \$2,250 the first year and \$2,500 the second year from the Tuition Assistance Grant Program. However, existing students enrolled exclusively in online education or distance learning programs as of the 2019-20 academic year shall remain eligible to receive awards of up to the 2019-2020 award amounts for as long as the student maintains enrollment in each successive fiscal year, unless granted an exception for cause by SCHEV, until current degree completion or current degree program eligibility limits have otherwise expired, whichever comes first.</p>				
<p>b. It is the intent of the General Assembly that awards under this paragraph related to new incoming students shall be calculated and granted at 50 percent of the undergraduate residential level.</p>				
<p>12. All students eligible and receiving an award under this program enrolled into a TAG-eligible private not-for-profit Virginia Historically Black College and University (HBCU) accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) shall receive an additional award of up to \$7,500 the first year and up to \$7,500 the second year.</p>				
<p>D.1. Regional Grants and Contracts: Out of this appropriation, \$170,000 the first year and \$170,000 the second year from the general fund is designated to support Virginia's participation in the Southern Regional Education Board initiative to increase the number of minority doctoral graduates.</p>				
<p>2. The amounts listed in paragraph D.1. shall be expended in accordance with the agreements between the Commonwealth of Virginia and the Southern Regional Education Board.</p>				
<p>E.1. Out of this appropriation, \$7,680,000 the first year and \$7,680,000 the second year from the general fund is designated to support the Virginia Military Survivors and Dependents program, § 23.1-608, Code of Virginia, to provide up to a \$2,200 annual stipend to offset the costs of room, board, books and supplies for qualified survivors and dependents of military service members.</p>				
<p>2. The amount of the stipend is an estimate depending on the number of students eligible under § 23.1-608, Code of Virginia. Changes that increase or decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.</p>				
<p>3. The Director, State Council of Higher Education for Virginia, shall allocate these funds to public institutions of higher education on behalf of students qualifying under this provision.</p>				
<p>4. Each institution of higher education shall report the number of recipients for this program to the State Council of Higher Education for Virginia by April 1 of each year. The State Council of Higher Education for Virginia shall report this information to the</p>				

<b>ITEM 142.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2023</b>	<b>Second Year FY2024</b>	<b>First Year FY2023</b>	<b>Second Year FY2024</b>

Chairs of the House Appropriations and Senate Finance and Appropriations Committees by May 15 of each year.

5. The Department of Veterans Services shall consult with the State Council of Higher Education for Virginia prior to the dissemination of any information related to the financial benefits provided under this program.

F.1. Out of the appropriation for this Item, \$3,885,256 the first year and \$3,885,256 the second year from the general fund is designated to support the Two-Year College Transfer Grant Program.

2. The State Council of Higher Education for Virginia shall disburse these funds for full-time students consistent with § 23.1-623 through § 23.1-627, Code of Virginia. Beginning with students who are entering a senior institution as a two-year transfer student for the first time in the fall 2013 academic year, and who otherwise meet the eligibility criteria of § 23.1-624, Code of Virginia, the maximum EFC is raised to \$12,000.

3. The actual amount of the award depends on the number of students eligible under § 23.1-623 through § 23.1-627, Code of Virginia. Changes that decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.

4. Out of this appropriation, up to \$600,000 the first year and \$600,000 the second year from the general fund is designated to support students eligible for the first time under § 23.1-623 through § 23.1-627, Code of Virginia. The State Council of Higher Education for Virginia shall transfer these funds to Norfolk State University, Old Dominion University, Radford University, University of Virginia's College at Wise, Virginia Commonwealth University and Virginia State University so that each institution can provide for grants of \$1,000 from these funds for these students.

a. Each institution shall award grants from these funds for one year and students shall not receive subsequent awards until they have satisfied the requirements to move to the next class level. Each recipient may receive a maximum of one year of support per class level for a maximum total of two years of support.

b. Any balances remaining from the appropriation identified in paragraph F.4. shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to the State Council of Higher Education for Virginia to support the purposes specified in paragraphs F.1. and F.4. in the subsequent fiscal year.

c. It is anticipated that the institutions shift by a total of 600 the number of students each enrolls from first time freshman to transfers eligible under § 23.1-623 through § 23.1-627, Code of Virginia. Institutional goals under this fund are estimated as follows:

<b>Institution</b>	<b>Transfer Target</b>
Norfolk State University	80
Old Dominion University	140
Radford University	140
University of Virginia's College at Wise	20
Virginia Commonwealth University	140
Virginia State University	80

d. The State Council of Higher Education for Virginia may allocate these funds among the institutions in Paragraph F.4.c. as necessary to meet the actual number of transfers each institution generates for students eligible for the first time under § 23.1-623 through § 23.1-627, Code of Virginia. Each institution shall report its progress toward the targets in Paragraph F.4.c. to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by May 1 each year.

e. The report shall include a detailed accounting of the use of the funds provided and a plan for achieving the goals identified in this item.

G. 1. Out of this appropriation, \$13,500,000 the first year and \$13,500,000 the second year from the general fund is designated for the New Economy Workforce Credential Grant Program.

ITEM 142.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
2. The State Council of Higher Education for Virginia shall develop guidelines for the program, collect data, evaluate and approve grant funds for allocation to eligible institutions.				
3. Local community colleges shall not start new workforce programs that would duplicate existing high school and adult Career and Technical Education (CTE) programs for high-demand occupations in order to receive funding under this Grant.				
4. No more than 25 percent of Grant funds may be used in one occupational field.				
H. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is designated for the Cybersecurity Public Service Grant Program (the Program) as a public-private initiative for the purpose of attracting to and retaining in qualified employment talented recent graduates and veterans to meet qualified employers' growing demand for cybersecurity professionals. The Program shall provide renewable grants of up to \$20,000 of matching state and employer funds on a competitive basis to an individual who (i) either (a) graduated within the past year from a Virginia public institution of higher education or regionally accredited Virginia private institution of higher education with an undergraduate or graduate degree in computer science or another academic program recognized by the Council to prepare an individual for a career in cybersecurity and who resides in the Commonwealth or (b) has served on active duty in the Armed Forces of the United States, was discharged or released within the past year from such service under conditions other than dishonorable, gained experience or received training in computer science during such service, and resides in the Commonwealth and (ii) accepts an offer of employment in a computer science position with any federal, state, or local government organization, including any federal or state military or defense organization, that is located in the Commonwealth or any private organization that contractually provides cybersecurity services for any such federal, state, or local organization and that is located in the Commonwealth. The State Council of Higher Education for Virginia shall administer and award grants pursuant to the Program and shall adopt regulations relating to recent graduate and veteran eligibility and academic or job qualifications, the application process, and identification and prioritization of qualified employers and qualified employment and may adopt such other regulations for the administration of the Program as it deems necessary. Recipients of the former Cybersecurity Public Service Scholarship may fulfill that program's employment commitment utilizing the employer description contained herein at the rate of one year of service for each year of award received.				
I. 1. Out of this appropriation, \$240,000 the first year and \$240,000 the second year from the general fund is designated for the Grow Your Own Teacher pilot program to provide grants to low-income high school graduates who attended an institution of higher education in the Commonwealth and subsequently teach in high-need public schools in the school divisions in which they graduated from high school.				
2. The Virginia Department of Education (VDOE) shall establish a process by which local school boards may apply for grants from the Grow Your Own Teacher Pilot Program to provide a grant of \$7,500 per academic year for up to four years for individuals who (i) graduated from a public high school in the local school division; (ii) were eligible for free lunch during the individual's attendance at a public high school in the local school division; and (iii) teach, within one year of graduating from an institution of higher education in the Commonwealth for a period of at least four years, at a public school at which at least 50 percent of students qualify for free lunch in the school division in which such individual graduated from high school. In developing such process, the department will ensure that at least one school division within each of the eight superintendent regions, applying for such grants, be awarded prior to awarding grants to multiple school divisions within a single superintendent region. Each superintendent region shall be permitted to apply for up to four tuition grant awards. VDOE is authorized to offer and award any remaining unallotted awards to other applying school divisions within a superintendent region.				
3. In the event that any nominee fails or refuses to comply with the teaching commitment under paragraph I.2. no grant shall be disbursed to the nominee.				

ITEM 142.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>J. Out of this appropriation, \$5,000,000 the first year and \$5,000,000 the second year from nongeneral funds is designated for scholarships for eligible students participating in the Gaining Early Awareness and Readiness for Undergraduate Program (GearUp)</p> <p>K. Out of this appropriation, \$2,500,000 the first year and \$2,500,000 the second year from the general fund is designated to supplement in-state student financial assistance at Norfolk State University and Virginia State University. The State Council of Higher Education for Virginia shall transfer \$1,250,000 the first year and \$1,250,000 the second year to each institution.</p> <p>L. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund is designated for the State Council of Higher Education for Virginia to develop a grant program to support public high school teachers who are completing college coursework in order to become credentialed for dual enrollment courses.</p> <p>M.1. Out of this appropriation \$250,000 the first year and \$25,000,000 the second year from the general fund is provided to enhance efforts to recruit and retain students eligible for Pell grant assistance at public institutions of higher education.</p> <p>2. The State Council of Higher Education for Virginia shall work with institutions with below average enrollment of Pell-eligible students to develop individualized recruitment and retention plans targeting low-income students. The Council shall partner with a nationally recognized consultant with experience in this area. The Council shall present a preliminary plan to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1, 2022. The Council shall present a final report on the final products for each institution to the same group no later than June 1, 2023.</p> <p>3. Any Virginia public institution of higher education may apply for pilot funding in the second year through a competitive grant process. Applications must demonstrate efforts to restructure outreach, recruitment, admission and retention procedures. Funds may be used to support initiatives to attract, enroll, and retain low-income students. Institutions may also request funding for additional need-based financial aid. Priority shall be given to institutions with below-average Pell enrollment and to institutions with below-average endowments.</p> <p>4. Any institutional grant under this initiative shall be subject to performance outcomes established in paragraph 5.</p> <p>5. The Council shall establish eligibility criteria, evaluate proposals, determine award sizes, establish performance outcomes and monitor performance in consultation with staff from the House Appropriations and the Senate Finance and Appropriations Committees, the Office of the Secretary of Education, and the Department of Planning and Budget. The Council shall notify the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee 30 days prior to releasing funds to institutions.</p> <p>6. The Council shall report periodically on activities related to this pilot and make recommendations for any potential future support to institutions that successfully meet their defined outcomes.</p>				
143.	Financial Assistance For Educational and General Services (11000).....		\$104,410	\$104,410
	Sponsored Programs (11004).....	\$4,410	\$4,410	
	Outstanding Faculty Recognition (11009).....	\$100,000	\$100,000	
	Fund Sources: Special.....	\$104,410	\$104,410	
<p>Authority: Outstanding Faculty Recognition Program: Discretionary Inclusion.</p> <p>The State Council of Higher Education for Virginia shall annually provide a grant to faculty members selected to be honored under the Outstanding Faculty Recognition program from such private funds as may be designated for this purpose. The faculty members shall be selected from public and private institutions of higher education in Virginia, but recipients of Outstanding Faculty Recognition Awards shall not be eligible for the awards in subsequent years.</p>				
144.	Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100).....		\$25,160,355	\$23,405,355



ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Higher Education Coordination and Review (11104).....	\$11,900,576	\$9,845,576		
Regulation of Private and Out-of-State Institutions (11105).....	\$1,364,517	\$1,364,517		
Institutional Program Support (11107).....	\$11,895,262	\$12,195,262		
Fund Sources: General.....	\$23,645,769	\$21,890,769		
Special.....	\$1,324,586	\$1,324,586		
Trust and Agency.....	\$190,000	\$190,000		

Authority: § 23.1-200, § 23.1-203, § 23.1-1107, § 23.1-629, § 23.1-903.4.

A. 1. It is the intent of the General Assembly to provide general fund support to contract at a level equivalent to the Tuition Assistance Grant undergraduate award with Mary Baldwin University for Virginia women resident students to participate in the Virginia Women's Institute for Leadership at Mary Baldwin University.

2. The amounts included in this Item are \$307,899 the first year and \$307,899 the second year from the general fund for the programmatic administration of this program.

3. General fund appropriations provided under this contract include financial incentive for the participating students at Mary Baldwin University in the Virginia Women's Institute for Leadership Program. Students receiving this financial incentive will not be eligible for Tuition Assistance Grants.

4. By September 1 of each year, Mary Baldwin University shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director, State Council of Higher Education for Virginia, and the Director, Department of Planning and Budget, on the number of students participating in the Virginia Women's Leadership Program, the number of in-state and out-of-state students receiving awards, the amount of the awards, the number of students graduating, and the number of students receiving commissions in the military.

B. In discharging the responsibilities specified in § 23.1-219, Code of Virginia, the State Council of Higher Education for Virginia shall provide exemptions to individual proprietorships, associations, co-partnerships or corporations which are now or in the future will be using the words "college" or "university" in their training programs solely for their employees or customers, which do not offer degree-granting programs, and whose name includes the word "college" or "university" in a context from which it clearly appears that such entity is not an educational institution.

C. Out of the appropriation for Higher Education Coordination and Review, \$10,662,363 the first year and \$10,962,363 the second year from the general fund is provided for continuation of the Virtual Library of Virginia. Funding for the Virtual Library of Virginia is provided for the benefit of students and faculty at the Commonwealth's public institutions of higher education and participating nonprofit, independent private colleges and universities. Out of this amount, \$461,946 the first year and \$461,946 the second year is earmarked to allow the participation of nonprofit, independent private colleges and universities.

D. Out of this appropriation, \$950,366 and ten positions the first year and \$950,366 and ten positions the second year from nongeneral funds is provided to support higher education coordination and review services, including expenses incurred in the regulation and oversight of the private and out-of-state postsecondary institutions and proprietary schools operating in Virginia. These funds will be generated through fee schedules developed pursuant to § 23.1-224, Code of Virginia. Out of this amount, \$190,000 the first year and \$190,000 the second year from nongeneral funds is designated to administration of the Student Tuition Guarantee Fund.

E. The State Council of Higher Education for Virginia, in consultation with the House Appropriations Committee, the Senate Finance and Appropriations Committee, the Department of General Services, and the Department of Planning and Budget, shall develop a six-year capital outlay plan for higher education institutions including affiliated entities. As a part of this plan SCHEV shall consider (i) current funding mechanisms for capital projects and improvements at the Commonwealth's institutions of higher education,

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	including general obligation bonds and other viable funding methods; (ii) mechanisms to assist private institutions of higher education in the Commonwealth with their capital needs.			
	F. The Executive Director, State Council of Higher Education for Virginia, may appoint an advisory committee to assist the council with technology-enriched learning initiatives. The advisory committee may assist the council in (i) developing innovative, cost-effective, technology-enriched teaching and learning initiatives, including distance and distributed learning initiatives; (ii) improving cooperation among and between the public and private institutions of higher education in the Commonwealth; (iii) improving efficiency and expand the availability of technology-enriched courses; and (iv) facilitating the sharing of research and experience to improve student learning.			
	G. The State Council of Higher Education for Virginia shall include Eastern Virginia Medical School in any calculations used to determine the funding requirements for state medical schools.			
	H. In addition to the reviews conducted under § 23.1-206 and § 23.1-306, Code of Virginia, the State Council of Higher Education shall evaluate the progress of individual initiatives funded in this act as part of the incentive funding provided to colleges and universities with regard to improvements in retention, graduation, degree production and other criteria the Council deems appropriate.			
	I. Out of this appropriation, \$330,687 the first year and \$330,687 the second year from the general fund is designated to support research and analysis and the administration of a multi-agency longitudinal data system to improve consumer information and policy recommendations.			
	J. Out of this appropriation, \$225,000 the first year and \$225,000 the second year from the general fund is designated to establish and maintain a fund for excellence and innovation. The fund is designed to stimulate collaboration among public school divisions, community colleges and universities to create and expand affordable student pathways and to pursue shared services and other efficiency initiatives at colleges and universities that lead to measurable cost reductions. Grants will be awarded on a competitive basis, with eligibility criteria determined by the State Council of Higher Education for Virginia.			
	K. Out of this appropriation, \$174,000 and one position the first year and \$174,000 and one position the second year from the general fund is designated for the establishment of a student loan ombudsman to provide timely assistance to student borrowers of any student education loan in the Commonwealth. The ombudsman will also be responsible for establishing and maintaining an online student loan borrower education course, which would cover key loan terms, documentation requirements, monthly payment obligations, income-based repayment options, loan forgiveness, and disclosure requirements.			
	L. 1. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the general fund is designated for the Innovative Internship Fund and Program, § 23.1-903.4, Code of Virginia. The funding is designed to expand paid or credit-bearing student internship and other work-based learning opportunities in collaboration with Virginia employers. The Program comprises institutional grants and a statewide initiative to facilitate the readiness of students, employers, and institutions of higher education to participate in internship and other work-based learning opportunities.			
	2. In administering the statewide initiative, the Council shall (i) engage stakeholders from business and industry, secondary and higher education, economic development, and state agencies and entities that are successfully engaging employers or successfully operating internship programs; (ii) explore strategies in Virginia and elsewhere on successful institutional, regional, statewide or sector-based internship programs; (iii) gather data on current institutional internship practices, scale, and outcomes; (iv) develop internship readiness educational resources, delivery methods, certification procedures, and outreach and awareness activities for employer partners, students, and institutional career development personnel; (v) pursue shared services or other efficiency initiatives, including technological solutions; and (vi) create a process to track key measures of performance.			
	3. The Council shall establish eligibility criteria, including requirements for matching funds, for institutional grants. Such grants shall be used to accomplish one or more of the following			

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>goals: (i) support state or regional workforce needs; (ii) support initiatives to attract and retain talent in the Commonwealth; (iii) support research and research commercialization in sectors and clusters targeted for development; (iv) support regional economic growth and diversification plans; (v) enhance the job readiness of students; (vi) enhance higher education affordability and timely completion for Virginia students; or (vii) further the objectives of increasing the tech talent pipeline.</p>				
<p>M. In addition to the exceptions pursuant to § 2.2-3815, the provisions of the section shall not be construed to prevent the release of a social security number to the U.S. Census, U.S. Education Department, or other agency of the federal government, by the State Council of Higher Education for the purposes of data-matching to improve knowledge of the outcomes of education programs of the Commonwealth, including, but not limited, to earnings and education-related debt. In addition, the office of the workforce development advisor shall also have access to wage records collected by the Council.</p>				
<p>N. The State Council of Higher Education for Virginia shall collect annual dues on behalf of Virginia Sea Grant to support its operational costs. The Council shall make payments out of nongeneral funds in this appropriation to Virginia Sea Grant, and shall enter into a memorandum of understanding with Virginia Sea Grant to define fiscal responsibilities and establish reimbursement rates and processes for the delivery of services.</p>				
<p>O. 1. The State Council of Higher Education for Virginia, in consultation with staff from the House Appropriations and Senate Finance and Appropriations Committee, Department of Planning and Budget, Secretary of Finance and Secretary of Education, as well as representatives of public higher education institutions, shall review financial aid awarding practices and tuition discounting strategies.</p>				
<p>2. The Council shall review current state financial aid awarding policies and make recommendations to: (1) appropriately prioritize and address affordability for low- and middle-income students; (2) increase program efficiency and effectiveness in meeting state goals that align with The Virginia Plan; and (3) simplify communication and improve student understanding of eligibility criteria. The review shall also: (1) assess financial aid by income level and the utilization and reporting of tuition revenue used for financial aid and unfunded scholarships; and (2) consider the pros and cons of authorizing remittance of tuition and fees for merit scholarships for students of high academic achievement.</p>				
<p>P. 1. The State Council of Higher Education for Virginia shall develop a plan for implementing a statewide survey on institutional expenditures by program and academic discipline at Virginia's public institutions to determine the effectiveness of spending related to the attainment of state and institutional goals and inform strategic decision-making.</p>				
<p>2. The Council may review existing reporting capacities and other state examples of cost analysis by program and academic discipline in higher education to: (1) determine the Council's current capacity to conduct the survey; (2) determine any additional staff and financial support necessary for conducting such a survey; (3) determine the potential for long-range cost containments; and (4) detail a plan for survey implementation.</p>				
<p>Q. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is designated for the Guidance to Postsecondary Success program. The program coordinates statewide efforts to increase college access and student success.</p>				
<p>R. The State Council of Higher Education for Virginia, in fulfilling the requirements under § 23.1-1304, Code of Virginia, may use online training modules that expand training beyond the initial orientation for Boards of Visitor members.</p>				
<p>S. The State Council of Higher Education for Virginia shall examine the feasibility of having a point of contact at each public institution of higher education for students who have been involved in the foster care system. The Council shall investigate the possibility of using federal dollars for this purpose and report their findings to the Commission on Youth by November 30, 2022.</p>				
<p>T. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is provided to support a mental health workforce pilot at institutions of higher education in consultation with the Virginia Health Care Foundation. The pilot shall</p>				

ITEM 144.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>support the costs of required supervision for graduates of Masters of Social Work and Masters of Counseling programs seeking licensure. Eligible institutions include public institutions of higher education operating in Virginia. The State Council of Higher Education for Virginia shall report the outcomes of the pilot annually to the Governor and General Assembly.</p> <p>U.1. As part of the biennial six-year financial plan required in the provisions of § 23.1-306, Code of Virginia, each public four-year institution of higher education, Richard Bland College, and the Virginia Community College System shall include in its six-year plan and amendments to its plan submitted to the State Council of Higher Education for Virginia (SCHEV) an official commitment and set of policies and practices to support freedom of expression and inquiry, free speech, academic freedom, and diversity of thought.</p> <p>2. Each public four-year institution of higher education, Richard Bland College, and the Virginia Community College System shall also submit an annual report on freedom of expression and inquiry, free speech, academic freedom, and diversity of thought to the Secretary of Education, including related incidents and statistics from the prior academic year.</p> <p>V. Out of this appropriation, \$2,000,000 the first year from the general fund is designated for the creation and support of an Innovation Center at a Historically Black College or University in the City of Richmond. The Director, State Council of Higher Education for Virginia, shall transfer this funding to the City of Richmond for costs associated with the Innovation Center.</p>				
145.	Higher Education Federal Programs Coordination (11200).....		\$2,440,426	\$2,440,426
	Higher Education Federal Programs Coordination (11201).....	\$2,440,426		\$2,440,426
	Fund Sources: Federal Trust.....	\$2,440,426		\$2,440,426
<p>Authority: Title 23.1, Chapter 2, Code of Virginia.</p> <p>Out of this appropriation, \$2,440,426 the first year and \$2,440,426 the second year from nongeneral funds is designated for grants to improve teacher quality (No Child Left Behind Act grant).</p>				
146.	Financial Assistance for Public Education (Categorical) (17100).....		\$3,000,000	\$3,000,000
	Early Awareness and Readiness Programs (17117).....	\$3,000,000		\$3,000,000
	Fund Sources: Federal Trust.....	\$3,000,000		\$3,000,000
<p>Authority: Discretionary Inclusion.</p> <p>Out of this appropriation, \$3,000,000 the first year and \$3,000,000 the second year from nongeneral funds is designated for the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.</p>				
147.	Technology Assistance Services (18600).....		\$200,000	\$200,000
	Distance Learning and Electronic Classroom (18602).....	\$200,000		\$200,000
	Fund Sources: Special.....	\$200,000		\$200,000
<p>Authority: Code of Virginia, § 23.1-211</p> <p>Out of this appropriation, \$200,000 the first year and \$200,000 the second year from nongeneral funds is designated to cover the costs of coordination and administration of the Virginia State Authorization Reciprocity Agreement (SARA) program as administered by the Southern Regional Education Board (SREB) and the National Council on State Authorization Reciprocity Agreements (NC-SARA).</p>				
Total for State Council of Higher Education for Virginia.....			<b>\$157,021,142</b>	<b>\$189,528,703</b>
General Fund Positions.....		52.00		52.00
Nongeneral Fund Positions.....		20.00		20.00
Position Level.....		72.00		72.00

ITEM 147.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
Fund Sources: General.....	\$144,501,720	\$177,009,281		
Special.....	\$6,638,996	\$6,638,996		
Trust and Agency.....	\$190,000	\$190,000		
Dedicated Special Revenue.....	\$250,000	\$250,000		
Federal Trust.....	\$5,440,426	\$5,440,426		

**§ 1-50. CHRISTOPHER NEWPORT UNIVERSITY (242)**

148.	Educational and General Programs (10000).....			\$94,731,364	\$94,853,864
	Higher Education Instruction (100101).....	\$48,719,923	\$48,719,923		
	Higher Education Research (100102).....	\$1,961,180	\$1,961,180		
	Higher Education Academic (100104).....	\$11,504,529	\$11,504,529		
	Higher Education Student Services (100105).....	\$7,254,697	\$7,254,697		
	Higher Education Institutional Support (100106).....	\$10,365,620	\$10,479,120		
	Operation and Maintenance Of Plant (100107).....	\$14,925,415	\$14,934,415		
	Fund Sources: General.....	\$43,714,369	\$43,832,869		
	Higher Education Operating.....	\$51,016,995	\$51,020,995		

Authority: Title 23.1, Chapter 14, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. 1. Out of this appropriation, \$667,670 the first year and \$667,670 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Science (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Christopher Newport University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 15 annually over the base year.

c. The 2016-17 year will serve as the base year for these purposes.

ITEM 148.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.				
D. Out of this appropriation, \$2,500,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.				
149.	Higher Education Student Financial Assistance (10800).....		\$10,517,330	\$11,464,030
	Scholarships (10810).....	\$10,494,567		\$11,437,467
	Fellowships (10820).....	\$22,763		\$26,563
	Fund Sources: General.....	\$6,587,330		\$7,534,030
	Higher Education Operating.....	\$3,930,000		\$3,930,000
Authority: Title 23.1, Chapter 14, Code of Virginia.				
Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
150.	Financial Assistance For Educational and General Services (11000).....		\$1,498,882	\$1,498,882
	Sponsored Programs (11004).....	\$1,498,882		\$1,498,882
	Fund Sources: Higher Education Operating.....	\$1,498,882		\$1,498,882
Authority: Title 23.1, Chapter 14, Code of Virginia.				
The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
151.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$81,463,139	\$81,463,139
	Food Services (80910).....	\$17,970,191		\$17,970,191
	Bookstores And Other Stores (80920).....	\$709,796		\$709,796
	Residential Services (80930).....	\$30,661,571		\$30,661,571
	Parking And Transportation Systems And Services (80940).....	\$1,809,449		\$1,809,449
	Student Unions And Recreational Facilities (80970)...	\$5,920,245		\$5,920,245
	Recreational And Intramural Programs (80980).....	\$167,142		\$167,142
	Other Enterprise Functions (80990).....	\$14,206,447		\$14,206,447
	Intercollegiate Athletics (80995).....	\$10,018,298		\$10,018,298
	Fund Sources: Higher Education Operating.....	\$61,759,270		\$61,759,270
	Debt Service.....	\$19,703,869		\$19,703,869
Authority: Title 23.1, Chapter 14, Code of Virginia.				
	Total for Christopher Newport University.....		<b>\$188,210,715</b>	<b>\$189,279,915</b>
	General Fund Positions.....	355.06		356.06
	Nongeneral Fund Positions.....	603.68		603.68
	Position Level.....	958.74		959.74
	Fund Sources: General.....	\$50,301,699		\$51,366,899
	Higher Education Operating.....	\$118,205,147		\$118,209,147
	Debt Service.....	\$19,703,869		\$19,703,869

**§ 1-51. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)**

152.	Educational and General Programs (10000).....		\$250,149,399	\$248,055,399
------	---	--	---------------	---------------

ITEM 152.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Higher Education Instruction (100101).....	\$140,643,823	\$140,643,823		
Higher Education Research (100102).....	\$1,659,768	\$1,659,768		
Higher Education Public Services (100103).....	\$3,008,021	\$508,021		
Higher Education Academic (100104).....	\$34,938,980	\$34,938,980		
Higher Education Student Services (100105).....	\$10,304,632	\$10,304,632		
Higher Education Institutional Support (100106)....	\$32,783,267	\$32,783,267		
Operation and Maintenance Of Plant (100107).....	\$26,810,908	\$27,216,908		
Fund Sources: General.....	\$64,491,487	\$62,148,487		
Higher Education Operating.....	\$176,904,416	\$177,153,416		
Debt Service.....	\$8,753,496	\$8,753,496		

Authority: Title 23.1, Chapter 28, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. Out of this appropriation, \$245,000 the first year and \$245,000 the second year from the general fund is designated to support the Lewis B. Puller Jr. Veterans Benefits Clinic.

D. Out of this appropriation, \$287,850 and two positions the first year and \$287,850 and two positions the second year from the general fund is designated to develop a specialization in military and veterans counseling within the existing clinical mental health counseling degree program and a post-graduate certificate in veterans counseling.

E. The College of William and Mary may extend the authority granted to it under the Restructured Higher Education Financial and Administrative Operations Act (Title 23.1, Chapter 10, Code of Virginia) to Richard Bland College in a manner that is consistent with the Management Agreement By and Between the Commonwealth of Virginia and the College of William and Mary in Virginia, executed November 15, 2005 and subsequently amended to the provisions of the memorandum of understanding related to financial operations and other related administrative areas as executed by the presidents of both institutions on November 15, 2017 and as may subsequently be amended.

F. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

G. 1. Out of this appropriation, \$1,221,670 the first year and \$1,221,670 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less

ITEM 152.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);</p> <p>c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and</p> <p>d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).</p> <p>3. The College of William and Mary is expected to maintain increases in:</p> <p>a. Data Science and Technology awards of 20 annually over the base year.</p> <p>b. Science and Engineering awards of 15 annually over the base year.</p> <p>c. Education awards of 5 annually over the base year.</p> <p>d. The 2016-17 year will serve as the base year for these purposes.</p> <p>4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.</p> <p>H. Out of this appropriation, \$250,000 and two positions the first year and \$250,000 and two positions the second year from the general fund is designated for the development of the Public Policy's Whole of Government program. This program will provide a hybrid Master of Public Policy degree that will allow the first year to be completed online.</p> <p>I. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.</p> <p>J. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is designated to support operating expenses for research efforts connected with the Bray School in partnership with the Colonial Williamsburg Foundation.</p> <p>K. Out of this appropriation, \$1,200,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>				
153.	Higher Education Student Financial Assistance (10800).....		\$51,964,218	\$52,661,418
	Scholarships (10810).....	\$36,488,101		\$37,143,601
	Fellowships (10820).....	\$15,476,117		\$15,517,817
	Fund Sources: General.....	\$5,185,876		\$5,883,076
	Higher Education Operating.....	\$46,778,342		\$46,778,342
<p>Authority: Title 23.1, Chapter 28, Code of Virginia.</p> <p>A. Higher education operating funds appropriated in this program may be allocated for need-based aid to Virginia undergraduate students to enhance the quality and diversity of the student body.</p> <p>B. The appropriation for the fund source Higher Education Operating in this Item shall be considered sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.</p>				



ITEM 153.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>C. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.</p>				
154.	Financial Assistance For Educational and General Services (11000).....		\$32,524,929	\$32,524,929
	Sponsored Programs (11004).....	\$32,524,929	\$32,524,929	
	Fund Sources: General.....	\$75,000	\$75,000	
	Higher Education Operating.....	\$32,264,735	\$32,264,735	
	Debt Service.....	\$185,194	\$185,194	
<p>Authority: Title 23.1, Chapter 28, Code of Virginia.</p> <p>A. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund and \$400,000 the first year and \$400,000 the second year from nongeneral funds are designated to build research capacity in biomedical research and biomaterials engineering.</p> <p>B. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.</p>				
155.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$91,664,623	\$91,664,623
	Food Services (80910).....	\$18,341,249	\$18,341,249	
	Bookstores And Other Stores (80920).....	\$3,875,918	\$3,875,918	
	Residential Services (80930).....	\$30,651,011	\$30,651,011	
	Parking And Transportation Systems And Services (80940).....	\$2,366,059	\$2,366,059	
	Telecommunications Systems And Services (80950).....	\$4,661,486	\$4,661,486	
	Student Health Services (80960).....	\$5,575,127	\$5,575,127	
	Student Unions And Recreational Facilities (80970).....	\$9,302,104	\$9,302,104	
	Recreational And Intramural Programs (80980).....	\$1,148,078	\$1,148,078	
	Other Enterprise Functions (80990).....	\$6,730,163	\$6,730,163	
	Intercollegiate Athletics (80995).....	\$9,013,428	\$9,013,428	
	Fund Sources: Higher Education Operating.....	\$69,455,019	\$69,455,019	
	Debt Service.....	\$22,209,604	\$22,209,604	
<p>Authority: Title 23.1, Chapter 28, Code of Virginia.</p>				
Total for The College of William and Mary in Virginia.....			<b>\$426,303,169</b>	<b>\$424,906,369</b>
	General Fund Positions.....	558.16	558.16	
	Nongeneral Fund Positions.....	882.96	882.96	
	Position Level.....	1,441.12	1,441.12	
	Fund Sources: General.....	\$69,752,363	\$68,106,563	
	Higher Education Operating.....	\$325,402,512	\$325,651,512	
	Debt Service.....	\$31,148,294	\$31,148,294	
<b>Richard Bland College (241)</b>				
156.	Educational and General Programs (10000).....		\$18,827,919	\$19,089,919
	Higher Education Instruction (100101).....	\$9,958,591	\$9,958,591	
	Higher Education Public Services (100103).....	\$4,500	\$4,500	
	Higher Education Academic (100104).....	\$1,005,615	\$1,005,615	

ITEM 156.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Higher Education Student Services (100105).....	\$1,164,160	\$1,164,160		
Higher Education Institutional Support (100106).....	\$4,765,027	\$4,765,027		
Operation and Maintenance Of Plant (100107).....	\$1,930,026	\$2,192,026		
Fund Sources: General.....	\$12,661,706	\$12,828,706		
Higher Education Operating.....	\$6,166,213	\$6,261,213		

Authority: Title 23.1, Chapter 28, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. In order to advance the goals of the Commonwealth of Virginia, the Virginia Plan for Higher Education and Richard Bland College, Richard Bland College may develop and deliver new, collaborative educational pathways and innovative educational models, including distance learning, technology-based instruction, prior learning assessments, work-based learning, and competency-based programs that lead to high-demand fields and industries critical to the economic development of the Petersburg region and Virginia. In addition, Richard Bland College may:

1. Continue to explore new and expanded partnership opportunities with the College of William and Mary as well as identify potential new higher education partners to pursue shared services and other options for cost reduction and increased efficiencies for any non-core business functions of the college. Unitization of shared services functions in the areas of Collections, Enterprise Resource Program (ERP), Procurement, and Accounts Payable will reduce overhead expenses and enable re-investment in the College's core business;
2. Identify higher education partners to strategically merge and align academic programming to advance the credential and completion goals outlined in the Virginia Plan for Higher Education;
3. Broker agreements between and among educational, industry, and non-profit partners and establish collaborative, innovative partnership agreements with school districts, public and private colleges and universities, economic development agencies, employers, philanthropic organizations, veterans organizations, public agencies and other partners as necessary to strengthen and streamline educational pathways from high school, to work-based learning, to baccalaureate and advanced degrees that prepare individuals, including nontraditional students and veterans, for entry into STEM-H and other high-demand careers in the Commonwealth;
4. Pilot and implement innovative educational approaches and technologies, and promote the development, delivery, and ongoing assessment of innovative, cost-effective degree programs and stackable credentials, including industry-recognized, competency-based credentials that are aligned with and responsive to the educational and workforce development needs of traditional and non-traditional students, including veterans and military personnel, and advance the economic development needs of employers and industries statewide;
5. Identify and implement new strategies to support economic and community development in Virginia and to expand opportunities for traditional and non-traditional students, including veterans, to prepare for high-demand fields.
6. The President of Richard Bland College shall submit a report on the institution's progress in exploring and expanding partnership opportunities for shared services and academic programming with other higher education partners to the Chairs of the House Committee on

ITEM 156.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Appropriations, the House Committee on Education, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations no later than July 1 of each year.</p> <p>D. Out of this appropriation, \$1,557,350 and 13 positions the first year and \$1,557,350 and 13 positions the second year from the general fund is designated to address the staffing recommendations of the Auditor of Public Accounts related to financial management, information technology, human resources, financial aid, and operations.</p> <p>E. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from the general fund is designated to support student success initiatives at Richard Bland College. Supported activities may include: (i) the implementation of Guided Pathways; (ii) the increase of course offerings related to diversity, equity, and inclusion; (iii) expansion of the College's health care service offerings for students; and (iv) expansion of student employment opportunities on campus.</p> <p>F. Richard Bland College shall provide a plan to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by November 1, 2022 on the steps necessary to transition to an innovative model for higher education that prepares citizens for jobs in high-demand fields and in industries critical to the economic development of the Petersburg area, Virginia Gateway Region and Commonwealth of Virginia, to begin implementation in the 2024-25 academic year. Richard Bland College shall work in consultation with the Virginia Secretary of Education, the State Council of Higher Education for Virginia, the College William and Mary, and regional post-secondary and secondary education institutions in the development of this plan.</p> <p>G. Out of this appropriation, \$1,000,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>				
157.	Higher Education Student Financial Assistance (10800).....		\$1,613,780	\$2,127,080
	Scholarships (10810).....	\$1,613,780	\$2,127,080	
	Fund Sources: General.....	\$1,553,780	\$2,067,080	
	Higher Education Operating.....	\$60,000	\$60,000	
	Authority: Title 23.1, Chapter 28, Code of Virginia.			
	Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.			
158.	Financial Assistance For Educational and General Services (11000)		\$15,000	\$15,000
	a sum sufficient, estimated at.....			
	Sponsored Programs (11004).....	\$15,000	\$15,000	
	Fund Sources: Higher Education Operating.....	\$15,000	\$15,000	
	Authority: Title 23.1, Chapter 28, Code of Virginia.			
159.	Higher Education Auxiliary Enterprises (80900)		\$4,741,277	\$4,741,277
	a sum sufficient, estimated at.....			
	Food Services (80910).....	\$640,627	\$640,627	
	Bookstores And Other Stores (80920).....	\$200,000	\$200,000	
	Residential Services (80930).....	\$2,384,338	\$2,384,338	
	Parking And Transportation Systems And Services (80940).....	\$248,000	\$248,000	
	Recreational And Intramural Programs (80980).....	\$29,000	\$29,000	
	Other Enterprise Functions (80990).....	\$882,500	\$882,500	
	Intercollegiate Athletics (80995).....	\$356,812	\$356,812	

ITEM 159.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: Higher Education Operating.....	\$4,741,277	\$4,741,277		
Authority: Title 23.1, Chapter 28, Code of Virginia.				
Total for Richard Bland College.....			<b>\$25,197,976</b>	<b>\$25,973,276</b>
General Fund Positions.....	84.43	84.43		
Nongeneral Fund Positions.....	41.41	41.41		
Position Level.....	125.84	125.84		
Fund Sources: General.....	\$14,215,486	\$14,895,786		
Higher Education Operating.....	\$10,982,490	\$11,077,490		

**Virginia Institute of Marine Science (268)**

160.	Educational and General Programs (10000).....			\$30,206,807	\$29,969,531
	Higher Education Instruction (100101).....	\$1,142,004	\$1,142,004		
	Higher Education Research (100102).....	\$13,724,157	\$13,493,363		
	Higher Education Academic (100104).....	\$6,399,374	\$6,400,984		
	Higher Education Institutional Support (100106).....	\$3,302,465	\$3,302,465		
	Operation and Maintenance Of Plant (100107).....	\$5,638,807	\$5,630,715		
	Fund Sources: General.....	\$28,241,721	\$28,004,445		
	Higher Education Operating.....	\$1,965,086	\$1,965,086		

Authority: Title 23.1, Chapter 28, and Title 28.2, Chapter 11, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. If sufficient appropriations are not made available by the Commonwealth, it shall not be necessary for the Virginia Institute of Marine Science to reallocate funds from existing research projects to provide the funding for research mandated in the Code of Virginia or in the Appropriation Act.

C. Out of this appropriation, \$212,772 and four positions the first year and \$212,772 and four positions the second year from the general fund is designated to support an Aquaculture Genetics and Breeding Technology Center at the Virginia Institute of Marine Science. The center shall coordinate its efforts with the repletion program of the Virginia Marine Resources Commission.

D. It is the intent of the General Assembly that the development of a disease resistant native oyster remains a high priority for oyster-related research activities at the Virginia Institute of Marine Science.

E. Out of this appropriation, \$68,391 the first year and \$68,391 the second year from the general fund is provided for the continuation of the Clean Marina Program. This additional funding will allow the Virginia Institute of Marine Science to provide education, outreach, and technical assistance to the Commonwealth's marinas in an effort to improve water quality.

F. Out of this appropriation, \$289,096 the first year and \$289,096 the second year from the general fund is designated for the monitoring of the Chesapeake Bay's blue crab population. This additional support will permit the Virginia Institute of Marine Science to generate the data necessary to develop fishery management plans, determine in-danger habitats, and project the annual blue crab catch.

G. Notwithstanding Chapter 719, 1999 Acts of Assembly, out of this appropriation, \$159,579 the first year and \$159,579 the second year from the general fund shall be provided to the Virginia Institute of Marine Science to support the Fishery Resource Grant Fund and Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the State Comptroller upon written request of the President of the College of William and Mary.

ITEM 160.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
H. Out of this appropriation, \$432,894 and 3.15 positions the first year and \$432,894 and 3.15 positions the second year from the general fund is designated to support research on sea level rise and state-of-the-art storm surge modeling, as well as for subcontracting with the College of William and Mary's Virginia Coastal Policy Center (CWMVCPC) to conduct policy and legal analyses of stakeholder-driven adaptation responses to sea level rise, in support of the Commonwealth Center for Recurrent Flooding Resiliency. The center, a collaborative partnership involving the Virginia Institute of Marine Science, Old Dominion University, and the CWMVCPC, shall work with municipalities both along coastal Virginia and throughout the Commonwealth to develop useful resilience strategies.				
I. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the general fund is designated for the establishment of a marine conservation fellowship program in partnership with Virginia-based marine science education programs and conservation museums.				
J. Out of this appropriation, \$14,783 the first year from the general fund is designated for debt service costs for the fifth year payment of a five-year lease under the Master Equipment Leasing Program (MELP) for upgrades to the campus information technology infrastructure. In addition to these amounts, \$188,086 and one position the first year and \$188,086 and one position the second year from the general fund is designated for supporting a network engineer, maintenance contracts, and staff training.				
K. Out of this appropriation, \$84,678 the first year and \$84,585 the second year from the general fund is designated for debt service costs for the fourth and fifth year payments of a five-year lease under the Master Equipment Leasing Program (MELP) for the equipment associated with the modeling and assessment technologies used to monitor the water quality of the Chesapeake Bay and its tributaries. In addition to this amount, \$406,075 and 2.70 positions the first year and \$406,075 and 2.70 positions the second year from the general fund is designated for a postdoctoral researcher and two research technicians, research-related supplies and materials, and ongoing service center costs.				
L. Out of this appropriation, \$403,000 the first year and \$403,000 the second year from the general fund is designated for evaluating the ecological health of the Elizabeth River, monitoring the performance of past restoration projects, and providing scientific guidance on development of new restoration projects. Every third year a State of the Elizabeth River Scorecard report on pollution levels in the Elizabeth River shall be produced. The scorecard shall include, at a minimum, an assessment of fish health data including cancer levels, tributyltin levels, and benthic index of biotic integrity, in correlation with water and sediment contaminant analyses from the Elizabeth River.				
M. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.				
N. Out of this appropriation, \$386,668 and 2.75 positions the first year and \$386,668 and 2.75 positions the second year from the general fund is provided for an annual survey of submerged bay grasses and the development of best management practices for oyster aquaculture that supports co-existence with bay grasses. The survey is also intended to assist in evaluating attainment of water quality standards, permitting efforts of other state agencies, and evaluating progress towards meeting the Chesapeake Bay Program goals.				
O. Out of this appropriation, \$185,000 the first year and \$185,000 the second year from the general fund is provided for a cooperative research program on shellfish aquaculture and seagrass. The research program is intended to determine how aquaculture activity affects the recovery rate of ecologically functional eelgrass beds and develop a landscape-level ecological model that can inform management decisions about how to apportion habitats within the entire coastal bay system on Virginia's Eastern Shore.				
P. Out of this appropriation, \$290,000 the first year from the general fund is provided to support an American shad recovery plan to address the population of shad in the James River.				

ITEM 161.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
161.	Higher Education Student Financial Assistance (10800).....			\$382,002	\$412,502
	Fellowships (10820).....	\$382,002	\$412,502		
	Fund Sources: General.....	\$382,002	\$412,502		
	Authority: Title 23.1, Chapter 28, Code of Virginia.				
162.	Financial Assistance For Educational and General Services (11000).....			\$24,997,658	\$24,997,658
	Eminent Scholars (11001).....	\$75,211	\$75,211		
	Sponsored Programs (11004).....	\$24,922,447	\$24,922,447		
	Fund Sources: Higher Education Operating.....	\$24,997,658	\$24,997,658		
	Authority: Title 23.1, Chapter 28 and Title 28.2, Chapter 11, Code of Virginia.				
	A. Out of the amounts for sponsored programs, \$50,000 the first year and \$50,000 the second year from nongeneral funds shall be paid from the Marine Fishing Improvement Fund to support the Mariculture and Marine Product Advisory Program.				
	B. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the institute to cover sponsored program operations.				
	Total for Virginia Institute of Marine Science.....			<b>\$55,586,467</b>	<b>\$55,379,691</b>
	General Fund Positions.....	322.57	322.57		
	Nongeneral Fund Positions.....	96.60	96.60		
	Position Level.....	419.17	419.17		
	Fund Sources: General.....	\$28,623,723	\$28,416,947		
	Higher Education Operating.....	\$26,962,744	\$26,962,744		
	Grand Total for The College of William and Mary in Virginia.....			<b>\$507,087,612</b>	<b>\$506,259,336</b>
	General Fund Positions.....	965.16	965.16		
	Nongeneral Fund Positions.....	1,020.97	1,020.97		
	Position Level.....	1,986.13	1,986.13		
	Fund Sources: General.....	\$112,591,572	\$111,419,296		
	Higher Education Operating.....	\$363,347,746	\$363,691,746		
	Debt Service.....	\$31,148,294	\$31,148,294		

**§ 1-52. GEORGE MASON UNIVERSITY (247)**

163.	Educational and General Programs (10000).....			\$681,135,793	\$681,147,793
	Higher Education Instruction (100101).....	\$420,753,169	\$420,753,169		
	Higher Education Research (100102).....	\$10,972,845	\$10,972,845		
	Higher Education Public Services (100103).....	\$2,883,074	\$2,883,074		
	Higher Education Academic (100104).....	\$85,198,617	\$85,198,617		
	Higher Education Student Services (100105).....	\$29,160,056	\$29,160,056		
	Higher Education Institutional Support (100106).....	\$71,727,194	\$71,727,194		
	Operation and Maintenance Of Plant (100107).....	\$60,440,838	\$60,452,838		
	Fund Sources: General.....	\$199,860,850	\$199,865,850		
	Higher Education Operating.....	\$481,274,943	\$481,281,943		

Authority: Title 23.1, Chapter 15, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals as described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

ITEM 163.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>B. Out of this appropriation, an amount estimated at \$289,614 the first year and \$289,614 the second year from the general fund and \$124,120 the first year and \$124,120 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.</p>				
<p>C. Out of this appropriation, \$459,125 the first year and \$459,125 the second year from the general fund is designated for the Institute for Conflict Analysis.</p>				
<p>D. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.</p>				
<p>E. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is designated to support the Potomac Bay Science Center.</p>				
<p>F. Out of this appropriation, \$400,000 the first year and \$400,000 the second year from the general fund is designated to develop a pathway program to attract and train veterans for cyber security careers.</p>				
<p>G. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.</p>				
<p>H. 1. Out of this appropriation, \$4,685,320 the first year and \$4,685,320 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.</p>				
<p>2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:</p>				
<p>a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;</p>				
<p>b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);</p>				
<p>c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and</p>				
<p>d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).</p>				
<p>3. George Mason University is expected to maintain increases in:</p>				
<p>a. Data Science and Technology awards of 50 annually over the base year.</p>				
<p>b. Science and Engineering awards of 35 annually over the base year.</p>				

ITEM 163.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
c. Healthcare awards of 35 annually over the base year.				
d. Education awards of 40 annually over the base year.				
e. The 2016-17 year will serve as the base year for these purposes.				
4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.				
I. Out of this appropriation \$50,000 the first year and \$50,000 the second year from the general fund is designated for campus lighting, generators and other infrastructure at the School of Conflict Resolution at the Point of View facility.				
J. The Board of Visitors of George Mason University may participate in a joint venture or innovation agreement with an individual, corporation, governmental body or agency, partnership, association, or other entity to develop and deliver new, collaborative distance learning and technology-based instruction programs for traditional and non-traditional students, including veterans and military personnel. The Board may create or operate such entity accordingly. In the course of any venture or agreement, the Board may authorize a pilot and implementation of distance learning and technology-based instruction programs that are aligned with and responsive to the educational and workforce needs of traditional and non-traditional students. If the Board determines it is necessary to the development and delivery of distance learning and technology-based instruction programs, the Board may create or assist in the creation of; own in whole or in part or otherwise control; participate in or with any entities, public or private; and purchase, receive, subscribe for, own, use, employ, sell, pledge or otherwise acquire or dispose of (i) shares or obligations of, or interests in, any entity organized for any purpose within or outside the Commonwealth and (ii) obligations of any person or corporation. Prior to the execution of any joint venture or innovation agreement, George Mason University shall formally seek and receive approval from the State Council of Higher Education for Virginia and report on whether there will be any impact on current or future operations of the Online Virginia Network Authority.				
K. Out of this appropriation, \$2,500,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.				
164. Higher Education Student Financial Assistance (10800).....			\$69,715,494	\$99,206,144
Scholarships (10810).....	\$63,452,328	\$92,681,328		
Fellowships (10820).....	\$6,263,166	\$6,524,816		
Fund Sources: General.....	\$42,419,494	\$65,510,144		
Higher Education Operating.....	\$27,296,000	\$33,696,000		
Authority: Title 23.1, Chapter 15, Code of Virginia.				
A. Notwithstanding the provisions of § 4-5.01.5.b) of this Act, George Mason University is hereby authorized to transfer the balance of its discontinued student loan funds to an endowment fund established by the University to be used for undergraduate and graduate students in the Higher Education Student Financial Assistance Program.				
B. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
165. Financial Assistance For Educational and General Services (11000).....			\$281,275,000	\$281,275,000
Eminent Scholars (11001).....	\$1,000,000	\$1,000,000		
Sponsored Programs (11004).....	\$280,275,000	\$280,275,000		
Fund Sources: General.....	\$2,106,250	\$2,106,250		
Higher Education Operating.....	\$279,168,750	\$279,168,750		



ITEM 165.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
Authority: Title 23.1, Chapter 15, Code of Virginia.					
A. 1. Out of this appropriation, \$956,250 the first year and \$956,250 the second year from the general fund and \$5,850,000 the first year and \$5,850,000 the second year from nongeneral funds are designated to build research capacity in biomedical research and biomaterials engineering.					
2. Out of this appropriation, \$750,000 the first year and \$750,000 the second year from the general fund is designated for applied research in simulation modeling and gaming.					
B. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the general fund is designated for Lyme Disease research and medical test development.					
C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.					
D. Out of this appropriation, \$275,000 the first year and \$275,000 the second year from the general fund is designated for George Mason University, in collaboration with Eastern Virginia Medical School, Old Dominion University, the University of Virginia, Virginia Commonwealth University, Virginia Tech-Carilion, INOVA, and Sentara Health System, to create the Virginia Commonwealth Clinical Research Network to serve as a network of institutions to conduct significant clinical trials in areas that include oncology, mental health and substance abuse. The Virginia Commonwealth Clinical Research Network would facilitate identifying and recruiting patients and expand access for researchers to a clinical base thereby creating greater opportunities for grant funding and the development commercialization of breakthrough products and services.					
166.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....			\$243,449,535	\$243,449,535
	Food Services (80910).....	\$37,525,061	\$37,525,061		
	Bookstores And Other Stores (80920).....	\$2,007,709	\$2,007,709		
	Residential Services (80930).....	\$41,303,634	\$41,303,634		
	Parking And Transportation Systems And Services (80940).....	\$15,501,304	\$15,501,304		
	Telecommunications Systems And Services (80950).....	\$589,977	\$589,977		
	Student Health Services (80960).....	\$5,619,151	\$5,619,151		
	Student Unions And Recreational Facilities (80970).....	\$11,446,270	\$11,446,270		
	Recreational And Intramural Programs (80980).....	\$18,806,844	\$18,806,844		
	Other Enterprise Functions (80990).....	\$85,516,698	\$85,516,698		
	Intercollegiate Athletics (80995).....	\$25,132,887	\$25,132,887		
	Fund Sources: Higher Education Operating.....	\$189,307,335	\$189,307,335		
	Debt Service.....	\$54,142,200	\$54,142,200		
Authority: Title 23.1, Chapter 15, Code of Virginia.					
	Total for George Mason University.....			\$1,275,575,822	\$1,305,078,472
	General Fund Positions.....	1,082.14	1,082.14		
	Nongeneral Fund Positions.....	4,185.49	4,185.49		
	Position Level.....	5,267.63	5,267.63		
	Fund Sources: General.....	\$244,386,594	\$267,482,244		
	Higher Education Operating.....	\$977,047,028	\$983,454,028		
	Debt Service.....	\$54,142,200	\$54,142,200		

**§ 1-53. JAMES MADISON UNIVERSITY (216)**

167.	Educational and General Programs (10000).....			\$382,948,294	\$383,262,632
	Higher Education Instruction (100101).....	\$210,904,454	\$211,218,792		
	Higher Education Research (100102).....	\$929,467	\$929,467		

ITEM 167.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Higher Education Public Services (100103).....	\$1,700,218	\$1,700,218		
Higher Education Academic (100104).....	\$50,626,534	\$50,626,534		
Higher Education Student Services (100105).....	\$25,534,638	\$25,534,638		
Higher Education Institutional Support (100106).....	\$49,649,824	\$49,649,824		
Operation and Maintenance Of Plant (100107).....	\$43,603,159	\$43,603,159		
Fund Sources: General.....	\$130,643,879	\$130,958,217		
Higher Education Operating.....	\$250,353,762	\$250,353,762		
Debt Service.....	\$1,950,653	\$1,950,653		

Authority: Title 23.1, Chapter 16, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

D. 1. Out of this appropriation, \$2,445,920 the first year and \$2,445,920 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. James Madison University is expected to maintain increases in:

a. Data Science and Technology awards of 10 annually over the base year.

b. Science and Engineering awards of 15 annually over the base year.

ITEM 167.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>c. Healthcare awards of 45 annually over the base year.</p> <p>d. Education awards of 15 annually over the base year.</p> <p>e. The 2016-17 year will serve as the base year for these purposes.</p> <p>4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.</p> <p>E. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between James Madison University and the Commonwealth, as set forth in Chapters 124 and 125 of the 2019 Acts of Assembly.</p> <p>F. Out of this appropriation, \$4,600,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>				
168.	Higher Education Student Financial Assistance (10800).....		\$26,753,898	\$32,072,248
	Scholarships (10810).....	\$25,663,827	\$30,895,127	
	Fellowships (10820).....	\$1,090,071	\$1,177,121	
	Fund Sources: General.....	\$13,850,346	\$19,168,696	
	Higher Education Operating.....	\$12,903,552	\$12,903,552	
<p>Authority: Title 23.1, Chapter 16, Code of Virginia.</p> <p>A. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.</p> <p>B. The appropriation for the fund source Higher Education Operating in this Item shall be considered sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between James Madison University and the Commonwealth as set forth in Chapters 124 and 125 of the 2019 Acts of Assembly.</p>				
169.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at.....		\$46,750,000	\$46,750,000
	Eminent Scholars (11001).....	\$350,000	\$350,000	
	Sponsored Programs (11004).....	\$46,400,000	\$46,400,000	
	Fund Sources: Higher Education Operating.....	\$46,750,000	\$46,750,000	
<p>Authority: Title 23.1, Chapter 16, Code of Virginia.</p>				
170.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$244,527,990	\$244,527,990
	Food Services (80910).....	\$80,006,129	\$80,006,129	
	Bookstores And Other Stores (80920).....	\$1,671,000	\$1,671,000	
	Residential Services (80930).....	\$40,908,562	\$40,908,562	
	Parking And Transportation Systems And Services (80940).....	\$8,299,037	\$8,299,037	
	Telecommunications Systems And Services (80950).....	\$1,653,061	\$1,653,061	
	Student Health Services (80960).....	\$7,361,895	\$7,361,895	
	Student Unions And Recreational Facilities (80970).....	\$8,350,305	\$8,350,305	
	Recreational And Intramural Programs (80980).....	\$13,665,647	\$13,665,647	
	Other Enterprise Functions (80990).....	\$22,731,460	\$22,731,460	

ITEM 170.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Intercollegiate Athletics (80995).....	\$59,880,894	\$59,880,894		
Fund Sources: Higher Education Operating.....	\$202,228,750	\$202,228,750		
Debt Service.....	\$42,299,240	\$42,299,240		
Authority: Title 23.1, Chapter 16, Code of Virginia.				
Total for James Madison University.....			<b>\$700,980,182</b>	<b>\$706,612,870</b>
General Fund Positions.....	1,294.53	1,294.53		
Nongeneral Fund Positions.....	2,873.38	2,873.38		
Position Level.....	4,167.91	4,167.91		
Fund Sources: General.....	\$144,494,225	\$150,126,913		
Higher Education Operating.....	\$512,236,064	\$512,236,064		
Debt Service.....	\$44,249,893	\$44,249,893		

**§ 1-54. LONGWOOD UNIVERSITY (214)**

171.	Educational and General Programs (10000).....			\$84,079,735	\$84,079,735
	Higher Education Instruction (100101).....	\$44,126,310	\$44,126,310		
	Higher Education Public Services (100103).....	\$640,768	\$640,768		
	Higher Education Academic (100104).....	\$8,373,149	\$8,373,149		
	Higher Education Student Services (100105).....	\$5,567,185	\$5,567,185		
	Higher Education Institutional Support (100106).....	\$15,540,846	\$15,540,846		
	Operation and Maintenance Of Plant (100107).....	\$9,831,477	\$9,831,477		
	Fund Sources: General.....	\$39,249,680	\$39,249,680		
	Higher Education Operating.....	\$44,830,055	\$44,830,055		

Authority: Title 23.1, Chapter 17, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. 1. Out of this appropriation, \$547,000 the first year and \$547,000 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1

ITEM 171.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
completion report for the Education Programs (13).				
3. Longwood University is expected to maintain increases in:				
a. Science and Engineering awards of 5 annually over the base year.				
b. Healthcare awards of 5 annually over the base year.				
c. Education awards of 5 annually over the base year.				
d. The 2016-17 year will serve as the base year for these purposes.				
4. SCHEV shall report on the progress toward these goals to the Chairman of the House Appropriations and Senate Finance and Appropriations Committees annually.				
D. Out of this appropriation, \$2,400,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.				
172.	Higher Education Student Financial Assistance (10800).....		\$9,860,518	\$11,390,718
	\$9,829,454	\$11,354,454		
	Scholarships (10810).....			
	Fellowships (10820).....	\$31,064	\$36,264	
	Fund Sources: General.....	\$6,864,879	\$8,395,079	
	Higher Education Operating.....	\$2,995,639	\$2,995,639	
Authority: Title 23.1, Chapter 17, Code of Virginia.				
Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
173.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at.....		\$5,678,393	\$5,678,393
	Sponsored Programs (11004).....	\$5,678,393	\$5,678,393	
	Fund Sources: Higher Education Operating.....	\$5,678,393	\$5,678,393	
Authority: Title 23.1, Chapter 17, Code of Virginia.				
174.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$64,882,672	\$64,882,672
	Food Services (80910).....	\$8,139,258	\$8,139,258	
	Bookstores And Other Stores (80920).....	\$273,195	\$273,195	
	Residential Services (80930).....	\$22,354,254	\$22,354,254	
	Parking And Transportation Systems And Services (80940).....	\$989,591	\$989,591	
	Telecommunications Systems And Services (80950).....	\$951,620	\$951,620	
	Student Health Services (80960).....	\$974,226	\$974,226	
	Student Unions And Recreational Facilities (80970).....	\$3,179,541	\$3,179,541	
	Recreational And Intramural Programs (80980).....	\$2,172,334	\$2,172,334	
	Other Enterprise Functions (80990).....	\$16,807,306	\$16,807,306	
	Intercollegiate Athletics (80995).....	\$9,041,347	\$9,041,347	
	Fund Sources: Higher Education Operating.....	\$57,295,361	\$57,295,361	
	Debt Service.....	\$7,587,311	\$7,587,311	
Authority: Title 23.1, Chapter 17, Code of Virginia.				
Total for Longwood University.....			<b>\$164,501,318</b>	<b>\$166,031,518</b>

ITEM 174.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
General Fund Positions.....	291.39	291.39		
Nongeneral Fund Positions.....	471.67	471.67		
Position Level.....	763.06	763.06		
Fund Sources: General.....	\$46,114,559	\$47,644,759		
Higher Education Operating.....	\$110,799,448	\$110,799,448		
Debt Service.....	\$7,587,311	\$7,587,311		

§ 1-55. NORFOLK STATE UNIVERSITY (213)

175.	Educational and General Programs (10000).....			\$125,490,394	\$123,004,353
	Higher Education Instruction (100101).....	\$67,433,394	\$64,933,394		
	Higher Education Research (100102).....	\$199,975	\$199,975		
	Higher Education Public Services (100103).....	\$1,326,879	\$1,326,879		
	Higher Education Academic (100104).....	\$16,053,707	\$16,067,666		
	Higher Education Student Services (100105).....	\$5,900,122	\$5,900,122		
	Higher Education Institutional Support (100106).....	\$20,915,308	\$20,915,308		
	Operation and Maintenance Of Plant (100107).....	\$13,661,009	\$13,661,009		
	Fund Sources: General.....	\$80,759,172	\$78,273,131		
	Higher Education Operating.....	\$44,731,222	\$44,731,222		

Authority: Title 23.1, Chapter 19, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, \$5,350,128 the first year and \$5,350,128 the second year from the general fund is designated for the recently initiated Bachelor of Science academic programs in Electronics Engineering and Optical Engineering and Master of Science academic programs in Electronics Engineering, Optical Engineering, Computer Science, and Criminal Justice.

2. Out of the amounts for programs listed in paragraph B.1. above, shall be provided \$273,486 the first year and \$273,486 the second year from the general fund for lease payments through the Master Equipment Leasing Program for educational and general equipment.

3. Out of the amounts for Educational and General Programs, \$37,500 the first year and \$37,500 the second year from the general fund is provided to serve in lieu of endowment income from the Eminent Scholars Program.

C.1. Out of the amounts for Educational and General Programs, a maximum of \$70,000 the first year and \$70,000 the second year from the general fund is designated for the Dozoretz National Institute for Minorities in Applied Sciences.

2. Any unexpended balances in paragraphs B.1., B.2., B.3., and C.1. in this Item at the close of business on June 30, 2022 and June 30, 2023 shall not revert to the surplus of the general fund, but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year. Norfolk State University may expend any prior year end balances to support its educational and general activities or its auxiliary enterprise activities.

D. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

E. Out of this appropriation, \$220,000 the first year and \$220,000 the second year from the general fund is designated to increase retention and graduation of juniors and seniors in good

ITEM 175.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

academic standing and who have additional demonstrated need.

F. 1. Out of this appropriation, \$826,570 the first year and \$826,570 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Norfolk State University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 5 annually over the base year.

c. Healthcare awards of 5 annually over the base year.

d. Education awards of 5 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.

G. Out of this appropriation, \$548,000 the first year and \$548,000 the second year from the general fund is designated for the Center for African American Policy to provide non-partisan research on public policy issues affecting African Americans and other people of color.

H. Out of this appropriation, \$1,000,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.

176.	Higher Education Student Financial Assistance (10800).....			\$28,427,081	\$33,959,031
	Scholarships (10810).....	\$28,036,029	\$33,461,729		
	Fellowships (10820).....	\$391,052	\$497,302		
	Fund Sources: General.....	\$23,294,214	\$28,826,164		
	Higher Education Operating.....	\$5,132,867	\$5,132,867		

Authority: Title 23.1, Chapter 19, Code of Virginia.

A. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

B. 1. Out of this appropriation up to \$7,222,765 the first year and \$7,222,765 from the general fund is provided for an affordability pilot program to offer financial assistance to Virginia students who are Pell grant eligible, meet university admissions requirements,

ITEM 176.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>and live within a 45 mile radius of the university. The program is designed to address regional needs relating to access and completion. Funds shall be used to provide last dollar or reduced tuition and fees to students for up to 150 percent of required credits to complete a certificate or degree. Priority shall be placed on students from Norfolk, Portsmouth, and Newport News and remaining funds may be used for room and board if available. It is the intention that the program may ramp up to 300 students total at any one time by fiscal year 2024. In the event that financial aid remains available after recruiting new students for fall semester, the remaining financial aid may be used to fund current students who meet the criteria and/or for eligible new students that enroll in the spring semester.</p> <p>2. As part of the six-year plan process, the university shall submit an annual report of the program that includes number of students served, average financial need of students, total expenditures, average award per student, retention and completion rates, other student outcomes as defined by the university, and planned outcomes for the upcoming year.</p> <p>3. The University shall submit a detailed budget and implementation plan, including how the institution will disseminate information about the program to area students, the projected size of each cohort, and how the institution will monitor and report on the success of the program.</p>				
177.	Financial Assistance For Educational and General Services (11000)			
	a sum sufficient, estimated at.....		\$20,231,943	\$20,231,943
	Sponsored Programs (11004).....	\$20,231,943	\$20,231,943	
	Fund Sources: Higher Education Operating.....	\$20,231,943	\$20,231,943	
	Authority: Title 23.1, Chapter 19, Code of Virginia.			
178.	Higher Education Auxiliary Enterprises (80900)			
	a sum sufficient, estimated at.....		\$49,312,878	\$49,312,878
	Food Services (80910).....	\$1,368,865	\$1,368,865	
	Bookstores And Other Stores (80920).....	\$393,740	\$393,740	
	Residential Services (80930).....	\$14,529,508	\$14,529,508	
	Parking And Transportation Systems And Services (80940).....	\$458,180	\$458,180	
	Student Health Services (80960).....	\$1,000,000	\$1,000,000	
	Student Unions And Recreational Facilities (80970).....	\$9,570,213	\$9,570,213	
	Other Enterprise Functions (80990).....	\$14,824,504	\$14,824,504	
	Intercollegiate Athletics (80995).....	\$7,167,868	\$7,167,868	
	Fund Sources: Higher Education Operating.....	\$40,488,242	\$40,488,242	
	Debt Service.....	\$8,824,636	\$8,824,636	
	Authority: Title 23.1, Chapter 19, Code of Virginia.			
	Total for Norfolk State University.....		\$223,462,296	\$226,508,205
	General Fund Positions.....	531.15	531.15	
	Nongeneral Fund Positions.....	689.97	689.97	
	Position Level.....	1,221.12	1,221.12	
	Fund Sources: General.....	\$104,053,386	\$107,099,295	
	Higher Education Operating.....	\$110,584,274	\$110,584,274	
	Debt Service.....	\$8,824,636	\$8,824,636	
<b>§ 1-56. OLD DOMINION UNIVERSITY (221)</b>				
179.	Educational and General Programs (10000).....		\$358,049,129	\$358,774,129
	Higher Education Instruction (100101).....	\$214,249,297	\$213,999,297	
	Higher Education Research (100102).....	\$7,839,852	\$7,839,852	
	Higher Education Public Services (100103).....	\$311,015	\$311,015	
	Higher Education Academic (100104).....	\$56,149,881	\$56,149,881	
	Higher Education Student Services (100105).....	\$19,754,158	\$19,754,158	
	Higher Education Institutional Support (100106).....	\$31,447,153	\$31,447,153	



ITEM 179.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Operation and Maintenance Of Plant (100107).....	\$28,297,773	\$29,272,773		
Fund Sources: General.....	\$169,457,389	\$169,751,389		
Higher Education Operating.....	\$188,591,740	\$189,022,740		

Authority: Title 23.1, Chapter 20, Code of Virginia.

A.1. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

2. Out of this appropriation, the university may allocate funds to expand enrollment capacity through expansion of distance learning, TELETECHNET and summer school.

B. Out of this appropriation, \$431,013 the first year and \$431,013 the second year from the general fund and \$198,244 the first year and \$198,244 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.

C. Notwithstanding § 1-610, Code of Virginia, Old Dominion University is hereby designated as the administrative agency for the Virginia Coordinate System.

D. Notwithstanding § 23.1-506, Code of Virginia, the governing board of Old Dominion University may charge reduced tuition to any person enrolled in one of Old Dominion University's TELETECHNET sites or higher education centers who lives within a 50-mile radius of the site/center, is domiciled in, and is entitled to in-state tuition charges in the institutions of higher learning in any state, or the District of Columbia, which is contiguous to Virginia and which has similar reciprocal provisions for persons domiciled in Virginia.

E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

F. Out of this appropriation, \$320,000 the first year and \$320,000 the second year from the general fund is designated to provide opportunity for 80 students per year to be engaged in STEM education using aerospace, high tech science, technology and engineering in partnership with NASA Wallops Flight Facility. Old Dominion University will collaborate with the Virginia Space Grant Consortium and STEM educators to identify the students who will participate in the program each year. The designated funding in this paragraph will not be considered as a resource for purposes of funding guidelines.

G. Out of this appropriation, \$409,200 and four positions the first year and \$409,200 and four positions the second year from the general fund is designated to support modeling of socioeconomic impacts of recurrent flooding in support of the Commonwealth Center for Recurrent Flooding Resiliency. The center, a collaborative partnership involving Old Dominion University, the Virginia Institute of Marine Science, and the College of William and Mary's Virginia Coastal Policy Center, shall work with municipalities both along coastal Virginia and throughout the Commonwealth to develop useful resilience strategies.

H. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the

ITEM 179.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.</p>				
<p>I. 1. Out of this appropriation, \$3,611,790 the first year and \$3,611,790 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.</p>				
<p>2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:</p>				
<p>a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;</p>				
<p>b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);</p>				
<p>c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and</p>				
<p>d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).</p>				
<p>3. Old Dominion University is expected to maintain increases in:</p>				
<p>a. Data Science and Technology awards of 15 annually over the base year.</p>				
<p>b. Science and Engineering awards of 40 annually over the base year.</p>				
<p>c. Healthcare awards of 40 annually over the base year.</p>				
<p>d. Education awards of 30 annually over the base year.</p>				
<p>e. The 2016-17 year will serve as the base year for these purposes.</p>				
<p>4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.</p>				
<p>J. Out of this appropriation, \$25,000 the first year and \$25,000 the second year from the general fund is designated for the Marine Rescue Program, a collaborative program between Old Dominion University and the Virginia Aquarium and Marine Science Foundation to support rescue efforts for stranded and sick marine animals throughout the entire Virginia coastline region of the Chesapeake Bay.</p>				
<p>K. Out of this appropriation, \$264,000 the first year and \$264,000 the second year from the general fund is designated to provide more targeted internship experiences through the Commonwealth Science, Technology, Engineering, and Mathematics (STEM) Industry Internship Program, managed by the Virginia Space Grant Consortium.</p>				
<p>L. Out of this appropriation, \$3,800,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>				
180.	Higher Education Student Financial Assistance (10800).....		\$43,411,907	\$61,336,357
	Scholarships (10810).....	\$40,186,112		\$57,853,012
	Fellowships (10820).....	\$3,225,795		\$3,483,345
	Fund Sources: General.....	\$35,084,389		\$53,008,839
	Higher Education Operating.....	\$8,327,518		\$8,327,518

Authority: Title 23.1, Chapter 20, Code of Virginia.

Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed

ITEM 180.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
181.	Financial Assistance For Educational and General Services (11000).....		\$24,911,599	\$24,911,599
	Eminent Scholars (11001).....	\$421,387		\$421,387
	Sponsored Programs (11004).....	\$24,490,212		\$24,490,212
	Fund Sources: General.....	\$11,491,584		\$11,491,584
	Higher Education Operating.....	\$13,420,015		\$13,420,015
Authority: Title 23.1, Chapter 20, Code of Virginia.				
A.1. Out of this appropriation, \$2,099,838 and 14 positions the first year and \$2,099,838 and 14 positions the second year from the general fund and \$4,500,000 the first year and \$4,500,000 the second year from nongeneral funds are designated to build research capacity in modeling and simulation, which shall include efforts to improve traffic management through modeling.				
2. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is designated to support science, technology, engineering and mathematics (STEM), and health-related programs. Old Dominion University shall use these funds to promote the use of modeling and simulation in the medical industry.				
B. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is designated to expand research efforts at the Center for Bioelectrics, which uses electrical stimuli in the biomedical area to eliminate cancer cells and tumors without damaging healthy surrounding tissue, accelerate wound healing, and efficiently deliver DNA vaccines. Non-biomedical areas of research include reducing pollutants in exhaust and establishing effective ground penetrating radar.				
C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
D. Out of this appropriation, \$370,000 the first year and \$370,000 the second year from the general fund is designated to the Virginia SmallSat Data Consortium, to support development of the Virginia Institute for Spaceflight and Autonomy.				
E. Out of this appropriation, \$4,000,000 the first year and \$4,000,000 the second year from the general fund is provided for the Hampton Roads Biomedical Research Consortium.				
F. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is designated to support a minority fellowship program partnership between Old Dominion University and the Virginia Symphony Orchestra.				
G. Out of this appropriation, \$500,000 each year from the general fund is designated to establish a Maritime Center for Mission Engineering Solutions and Workforce Training.				
H. Out of this appropriation, \$1,500,000 each year from the general fund is designated to support the Institute for Coastal Adaptation and Resilience at Old Dominion University and its collaboration with the Chesapeake Bay Foundation.				
I. Out of this appropriation, \$500,000 each year from the general fund is designated to support the necessary staffing, equipment, and related services for the Potomac Aquifer Recharge Monitoring Laboratory established in § 62.1-274, Code of Virginia.				
182.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$120,682,026	\$120,682,026
	Food Services (80910).....	\$5,260,460		\$5,260,460
	Bookstores And Other Stores (80920).....	\$655,764		\$655,764

ITEM 182.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Residential Services (80930).....	\$38,399,263	\$38,399,263		
Parking And Transportation Systems And Services (80940).....	\$6,539,784	\$6,539,784		
Telecommunications Systems And Services (80950)..	\$906,134	\$906,134		
Student Health Services (80960).....	\$3,575,660	\$3,575,660		
Student Unions And Recreational Facilities (80970)...	\$8,197,679	\$8,197,679		
Recreational And Intramural Programs (80980).....	\$4,215,657	\$4,215,657		
Other Enterprise Functions (80990).....	\$18,763,357	\$18,763,357		
Intercollegiate Athletics (80995).....	\$34,168,268	\$34,168,268		
Fund Sources: Higher Education Operating.....	\$94,206,664	\$94,206,664		
Debt Service.....	\$26,475,362	\$26,475,362		

Authority: Title 23.1, Chapter 20, Code of Virginia.

Old Dominion University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of TELETECHNET classes offered at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for TELETECHNET students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the University's Board of Visitors. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the State Council of Higher Education for Virginia. Revenues in excess of expenditures shall be retained in the fund to support the entire TELETECHNET program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.

Total for Old Dominion University.....			<b>\$547,054,661</b>	<b>\$565,704,111</b>
General Fund Positions.....	1,090.51	1,090.51		
Nongeneral Fund Positions.....	1,531.98	1,531.98		
Position Level.....	2,622.49	2,622.49		
Fund Sources: General.....	\$216,033,362	\$234,251,812		
Higher Education Operating.....	\$304,545,937	\$304,976,937		
Debt Service.....	\$26,475,362	\$26,475,362		

**§ 1-57. RADFORD UNIVERSITY (217)**

183. Educational and General Programs (10000).....			\$137,831,383	\$137,831,383
Higher Education Instruction (100101).....	\$84,288,405	\$84,288,405		
Higher Education Public Services (100103).....	\$629,980	\$629,980		
Higher Education Academic (100104).....	\$12,325,154	\$12,325,154		
Higher Education Student Services (100105).....	\$6,511,721	\$6,511,721		
Higher Education Institutional Support (100106).....	\$22,659,968	\$22,659,968		
Operation and Maintenance Of Plant (100107).....	\$11,416,155	\$11,416,155		
Fund Sources: General.....	\$66,862,810	\$66,862,810		
Higher Education Operating.....	\$70,968,573	\$70,968,573		

Authority: Title 23.1, Chapter 21, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact

ITEM 183.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.</p> <p>C. 1. Out of this appropriation, \$1,028,460 the first year and \$1,028,460 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.</p> <p>2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:</p> <p>a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;</p> <p>b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);</p> <p>c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and</p> <p>d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).</p> <p>3. Radford University is expected to maintain increases in:</p> <p>a. Data Science and Technology awards of 5 annually over the base year.</p> <p>b. Science and Engineering awards of 5 annually over the base year.</p> <p>c. Healthcare awards of 10 annually over the base year.</p> <p>d. Education awards of 10 annually over the base year.</p> <p>e. The 2016-17 year will serve as the base year for these purposes.</p> <p>4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.</p> <p>5. Out of the amounts designated for degree production \$300,000 the first year and \$300,000 the second year is designated to support a flat-fee degree pilot initiative for education programs. Radford University shall offer alternative tuition or fee structures, including discounted tuition, flat tuition rates, discounted student fees, or student fee and student services flexibility, to any first-time, incoming freshman undergraduate student who (i) has established domicile, as that term is defined in § 23.1-500 et seq., in the Commonwealth and (ii) enrolls full time with the intent to earn a degree in a program that leads to employment as a teacher in the region. Such an alternative tuition or fee structure may be renewed each year if the recipient maintains continuous full-time enrollment. If a recipient fails to maintain continuous full-time enrollment, subsequently enrolls in a noneligible degree program, or fails to complete the eligible degree program within four years, the institution shall convert the financial benefit received by the student to a financial obligation payable by the student to the institution on terms established by the institution.</p> <p>D. Out of this appropriation, \$1,400,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>				
184.	Higher Education Student Financial Assistance (10800).....		\$17,758,173	\$26,114,873
	Scholarships (10810).....	\$16,664,826		\$24,934,226
	Fellowships (10820).....	\$1,093,347		\$1,180,647
	Fund Sources: General.....	\$15,850,702		\$24,207,402

ITEM 184.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Higher Education Operating.....	\$1,907,471	\$1,907,471		
Authority: Title 23.1, Chapter 21, Code of Virginia.				
Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
185. Financial Assistance For Educational and General Services (11000)				
a sum sufficient, estimated at.....			\$9,010,037	\$9,010,037
Eminent Scholars (11001).....	\$48,397	\$48,397		
Sponsored Programs (11004).....	\$8,961,640	\$8,961,640		
Fund Sources: Higher Education Operating.....	\$9,010,037	\$9,010,037		
Authority: Title 23.1, Chapter 21, Code of Virginia.				
186. Administrative and Support Services (19900).....			\$23,385,314	\$23,385,314
Operation of Higher Education Centers (19931).....	\$23,385,314	\$23,385,314		
Fund Sources: General.....	\$12,190,852	\$12,190,852		
Higher Education Operating.....	\$11,194,462	\$11,194,462		
Authority: Title 23.1, Chapter 23, Code of Virginia				
The appropriation listed in this Item is designated to support Radford University Carilion.				
187. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at.....			\$68,977,308	\$68,977,308
Food Services (80910).....	\$19,251,178	\$19,251,178		
Bookstores And Other Stores (80920).....	\$605,227	\$605,227		
Residential Services (80930).....	\$16,275,025	\$16,275,025		
Parking And Transportation Systems And Services (80940).....	\$1,657,550	\$1,657,550		
Telecommunications Systems And Services (80950)..	\$659,898	\$659,898		
Student Health Services (80960).....	\$3,242,356	\$3,242,356		
Student Unions And Recreational Facilities (80970)...	\$6,101,566	\$6,101,566		
Recreational And Intramural Programs (80980).....	\$1,659,883	\$1,659,883		
Other Enterprise Functions (80990).....	\$5,324,675	\$5,324,675		
Intercollegiate Athletics (80995).....	\$14,199,950	\$14,199,950		
Fund Sources: Higher Education Operating.....	\$64,777,308	\$64,777,308		
Debt Service.....	\$4,200,000	\$4,200,000		
Authority: Title 23.1, Chapter 21, Code of Virginia.				
Total for Radford University.....			<b>\$256,962,215</b>	<b>\$265,318,915</b>
General Fund Positions.....	631.39	631.39		
Nongeneral Fund Positions.....	964.69	964.69		
Position Level.....	1,596.08	1,596.08		
Fund Sources: General.....	\$94,904,364	\$103,261,064		
Higher Education Operating.....	\$157,857,851	\$157,857,851		
Debt Service.....	\$4,200,000	\$4,200,000		

**§ 1-58. UNIVERSITY OF MARY WASHINGTON (215)**

188. Educational and General Programs (10000).....			\$92,481,147	\$92,481,147
Higher Education Instruction (100101).....	\$51,344,686	\$51,344,686		
Higher Education Research (100102).....	\$422,289	\$422,289		

ITEM 188.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Higher Education Public Services (100103).....	\$520,659	\$520,659		
Higher Education Academic (100104).....	\$10,464,228	\$10,464,228		
Higher Education Student Services (100105).....	\$9,952,542	\$9,952,542		
Higher Education Institutional Support (100106).....	\$12,181,250	\$12,181,250		
Operation and Maintenance Of Plant (100107).....	\$7,595,493	\$7,595,493		
Fund Sources: General.....	\$39,739,855	\$39,739,855		
Higher Education Operating.....	\$52,741,292	\$52,741,292		

Authority: Title 23.1, Chapter 18, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation an amount estimated at \$80,483 the first year and \$80,483 the second year from the general fund and \$36,130 the first year and \$36,130 the second year nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginia in support of these funded activities.

C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

D. Notwithstanding any other provision of law, the University of Mary Washington may enter into an agreement with the Fredericksburg Regional Alliance, a nonprofit organization dedicated to cooperative economic development efforts in the Fredericksburg region, for the purpose of expanding regional efforts in the field of economic development and research.

E. 1. Out of this appropriation, \$338,550 the first year and \$338,550 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. University of Mary Washington is expected to maintain increases in:

a. Science and Engineering awards of 5 annually over the base year.

b. Education awards of 5 annually over the base year.

ITEM 188.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>c. The 2016-17 year will serve as the base year for these purposes.</p> <p>4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriation Committees annually.</p> <p>F. Out of this appropriation, \$568,000 the first year and \$568,000 the second year from the general fund is designated to support an educational partnership between regional K-12 school divisions, community colleges, University of Mary Washington and industry to develop a curriculum that accelerates time to degree, lowers cost, eliminates the skills gap and reduces reliance on student debt in the areas of Education, Healthcare and Cybersecurity.</p> <p>G. Out of this appropriation, \$2,100,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>				
189.	Higher Education Student Financial Assistance (10800).....		\$14,638,862	\$16,165,862
	Scholarships (10810).....	\$14,607,129	\$16,128,829	
	Fellowships (10820).....	\$31,733	\$37,033	
	Fund Sources: General.....	\$4,438,862	\$5,965,862	
	Higher Education Operating.....	\$10,200,000	\$10,200,000	
<p>Authority: Title 23.1, Chapter 18, Code of Virginia.</p> <p>Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.</p>				
190.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at.....		\$809,533	\$809,533
	Eminent Scholars (11001).....	\$57,396	\$57,396	
	Sponsored Programs (11004).....	\$752,137	\$752,137	
	Fund Sources: Higher Education Operating.....	\$809,533	\$809,533	
<p>Authority: Title 23.1, Chapter 18, Code of Virginia.</p>				
191.	Museum and Cultural Services (14500)..... Collections Management and Curatorial Services (14501).....		\$1,099,138	\$1,099,138
	Fund Sources: General.....	\$781,117	\$781,117	
	Special.....	\$318,021	\$318,021	
<p>Authority: Title 23.1, Chapter 18 and Chapter 51, Acts of Assembly of 1960; § 23.1-1310, Code of Virginia.</p> <p>The amounts provided in this appropriation are designated for the support of Belmont, the estate and memorial gallery of American artist Gari Melchers.</p>				
192.	Administrative and Support Services (19900)..... Operation of Higher Education Centers (19931).....		\$1,700,000	\$1,700,000
	Fund Sources: General.....	\$1,250,000	\$1,250,000	
	Special.....	\$450,000	\$450,000	
<p>Authority: Title 23.1, Chapter 18, Code of Virginia.</p>				
193.	Historic and Commemorative Attraction Management (50200)..... Historic and Commemorative Attraction Management (50200).....		\$527,898	\$527,898
		\$53,950	\$53,950	



ITEM 193.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Historic Landmarks and Facilities Management (50203).....	\$473,948	\$473,948		
Fund Sources: General.....	\$473,948	\$473,948		
Special.....	\$53,950	\$53,950		

Authority: Title 2.2, Chapter 2, § 2.2-208 Code of Virginia.

The amounts provided in this appropriation are designated for the support of the James Monroe Museum and Memorial Library.

194.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....			\$53,809,228	\$53,809,228
	Food Services (80910).....	\$9,250,229	\$9,250,229		
	Residential Services (80930).....	\$21,754,169	\$21,754,169		
	Parking And Transportation Systems And Services (80940).....	\$692,417	\$692,417		
	Telecommunications Systems And Services (80950).....	\$2,832,104	\$2,832,104		
	Student Health Services (80960).....	\$592,823	\$592,823		
	Student Unions And Recreational Facilities (80970).....	\$5,391,937	\$5,391,937		
	Recreational And Intramural Programs (80980).....	\$1,040,941	\$1,040,941		
	Other Enterprise Functions (80990).....	\$9,600,754	\$9,600,754		
	Intercollegiate Athletics (80995).....	\$2,653,854	\$2,653,854		
	Fund Sources: Higher Education Operating.....	\$48,370,600	\$48,370,600		
	Debt Service.....	\$5,438,628	\$5,438,628		
	Authority: Title 23.1, Chapter 18, Code of Virginia.				
	Total for University of Mary Washington.....			<b>\$165,065,806</b>	<b>\$166,592,806</b>
	General Fund Positions.....	231.66	231.66		
	Nongeneral Fund Positions.....	465.00	465.00		
	Position Level.....	696.66	696.66		
	Fund Sources: General.....	\$46,683,782	\$48,210,782		
	Special.....	\$821,971	\$821,971		
	Higher Education Operating.....	\$112,121,425	\$112,121,425		
	Debt Service.....	\$5,438,628	\$5,438,628		

**§ 1-59. UNIVERSITY OF VIRGINIA (207)**

195.	Educational and General Programs (10000).....			\$828,237,103	\$832,311,999
	Higher Education Instruction (100101).....	\$437,727,484	\$441,802,380		
	Higher Education Research (100102).....	\$31,375,273	\$31,375,273		
	Higher Education Public Services (100103).....	\$12,134,442	\$12,134,442		
	Higher Education Academic (100104).....	\$127,704,792	\$127,704,792		
	Higher Education Student Services (100105).....	\$38,252,253	\$38,252,253		
	Higher Education Institutional Support (100106)....	\$50,349,944	\$50,349,944		
	Operation and Maintenance Of Plant (100107).....	\$130,692,915	\$130,692,915		
	Fund Sources: General.....	\$165,262,926	\$165,262,926		
	Higher Education Operating.....	\$660,094,177	\$664,169,073		
	Debt Service.....	\$2,880,000	\$2,880,000		

Authority: Title 23.1, Chapter 22, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

ITEM 195.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
B.1. This appropriation includes an amount not to exceed \$1,393,959 the first year and \$1,393,959 the second year from the general fund for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.				
2. The university shall report by July 1 annually to the Department of Planning and Budget an operating plan for the Family Practice Residency Program.				
3. The University of Virginia, in cooperation with the Virginia Commonwealth University Health System Authority, shall establish elective Family Practice Medicine experiences in Southwest Virginia for both students and residents.				
4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in § 4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for the University of Virginia for purposes of determining the university's portion of the statewide general fund reduction requirement.				
C. 1. Out of this appropriation, \$2,476,467 the first year and \$2,476,467 the second year from the general fund and \$1,714,900 the first year and \$1,714,900 the second year from nongeneral funds is designated for the Virginia Foundation for Humanities and Public Policy.				
2. Out of the total funding in paragraph C.1., \$250,000 and two positions the first year and \$250,000 and two positions the second year from the general fund and \$714,900 and four positions the first year and \$714,900 and four positions the second year from nongeneral funds is provided to support Discovery Virginia, an online archive to preserve elements of Virginia history, culture, and heritage, and make the materials accessible to the public.				
3. Out of the total funding in paragraph C.1., \$500,000 and 2.00 positions the first year and \$500,000 and 2.00 positions the second year from the general fund and \$1,000,000 and 4.15 positions the first year and \$1,000,000 and 4.15 positions the second year from nongeneral funds is provided to create curriculum materials for K-12 schools, establish a network of Humanities Ambassadors in public schools and libraries across the state, and support classroom visits by Foundation program staff to support student use of the Foundation for the Humanities resources.				
4. Pursuant to House Joint Resolution 762, 1999 Session of the General Assembly, funds in this Item begin to address the objective of appropriating one dollar per capita for the support of the Foundation.				
D. Out of this appropriation, an amount estimated at \$501,230 the first year and \$501,230 the second year from the general fund and at least \$468,850 the first year and at least \$468,850 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.				
E. Out of this appropriation, \$183,306 the first year and \$183,306 the second year from the general fund, and at least \$283,500 the first year and at least \$283,500 the second year from nongeneral funds are designated for the independent Virginia Institute of Government at the University of Virginia Center for Public Service.				
F. Out of this appropriation, at least \$148,577 the first year and \$148,577 the second year from the general fund is designated for support of diabetes education and public service at the Virginia Center for Diabetes Professional Education at the University of Virginia.				
G. Out of this appropriation \$304,927 the first year and \$304,927 the second year from the general fund and \$53,189 the first year and \$53,189 the second year from nongeneral funds are designated for support of the State Arboretum at Blandly Farm.				
H. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the				

ITEM 195.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

I. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

J. Out of this appropriation, \$190,000 the first year and \$190,000 the second year from the general fund is designated for a program to expand health care services to rural and medically underserved areas through the use of physicians, nurse practitioners, other providers, and telemedicine.

K. Out of this appropriation, \$175,000 the first year and \$175,000 the second year is designated to support the efforts of the Weldon Cooper Center to produce population estimates at least every other year in between census years.

L. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

M. 1. Out of this appropriation, \$2,661,340 the first year and \$2,661,340 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. The University of Virginia is expected to maintain increases in:

a. Data Science and Technology awards of 20 annually over the base year.

b. Science and Engineering awards of 30 annually over the base year.

c. Healthcare awards of 20 annually over the base year.

d. Education awards of 10 annually over the base year.

ITEM 195.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>e. The 2016-17 year will serve as the base year for these purposes.</p> <p>4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.</p> <p>N. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund is designated to the Weldon Cooper Center for Public Service to increase its demographic projection capacity.</p> <p>O. Out of this appropriation, \$2,500,000 each year from the general fund is designated to support affordable access for in-state undergraduate students</p>				
196.	Higher Education Student Financial Assistance (10800).....		\$167,352,652	\$170,071,552
	Scholarships (10810).....	\$76,751,133	\$79,230,233	
	Fellowships (10820).....	\$90,601,519	\$90,841,319	
	Fund Sources: General.....	\$13,634,364	\$16,353,264	
	Higher Education Operating.....	\$153,718,288	\$153,718,288	
<p>Authority: Title 23.1, Chapter 22, Code of Virginia.</p> <p>A. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund, shall be provided to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.</p> <p>B. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.</p> <p>C. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.</p>				
197.	Financial Assistance For Educational and General Services (11000).....		\$593,865,458	\$593,865,458
	Sponsored Programs (11004).....	\$593,865,458	\$593,865,458	
	Fund Sources: General.....	\$26,806,715	\$26,806,715	
	Higher Education Operating.....	\$544,248,743	\$544,248,743	
	Debt Service.....	\$22,810,000	\$22,810,000	
<p>Authority: Title 23.1, Chapter 22, Code of Virginia.</p> <p>A. Out of this appropriation, \$1,744,245 the first year and \$1,744,245 the second year from the general fund and \$14,350,000 the first year and \$14,350,000 the second year from nongeneral funds are designated to build research capacity in the areas of bioengineering and biosciences.</p> <p>B.1. Out of this appropriation, \$20,000,000 the first year and \$20,000,000 the second year from the general fund is designated for the support of cancer research. From this allocation, \$2,500,000 the first year and \$2,500,000 the second year from the general fund is designated for the support of pediatric cancer research.</p> <p>2. The University of Virginia shall submit an annual report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on its use of state funds in cancer research.</p> <p>C. Out of this appropriation, \$4,112,500 the first year and \$4,112,500 the second year from the general fund is designated for support of the Focused Ultrasound Center to support core programs and research activities. The funding provided in this paragraph supports the</p>				

ITEM 197.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
activities and research at the University of Virginia as designated by the Focused Ultrasound Foundation, including coordinated activities with Virginia Tech.				
D. Out of this appropriation, \$950,000 the first year and \$950,000 the second year from the general fund is designated to support the creation of the UVA Economic Development Accelerator.				
E. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
198.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$221,675,089	\$221,675,089
	Food Services (80910).....	\$5,370,300	\$5,370,300	
	Residential Services (80930).....	\$45,728,208	\$45,728,208	
	Parking And Transportation Systems And Services (80940).....	\$12,559,388	\$12,559,388	
	Telecommunications Systems And Services (80950).....	\$15,564,808	\$15,564,808	
	Student Health Services (80960).....	\$9,988,673	\$9,988,673	
	Student Unions And Recreational Facilities (80970).....	\$7,764,975	\$7,764,975	
	Recreational And Intramural Programs (80980).....	\$9,719,717	\$9,719,717	
	Other Enterprise Functions (80990).....	\$61,430,758	\$61,430,758	
	Intercollegiate Athletics (80995).....	\$53,548,262	\$53,548,262	
	Fund Sources: Higher Education Operating.....	\$199,817,089	\$199,817,089	
	Debt Service.....	\$21,858,000	\$21,858,000	
Authority: Title 23.1, Chapter 22, Code of Virginia.				
	Total for University of Virginia.....		<b>\$1,811,130,302</b>	<b>\$1,817,924,098</b>
	General Fund Positions.....	1,088.78	1,088.78	
	Nongeneral Fund Positions.....	5,955.32	5,955.32	
	Position Level.....	7,044.10	7,044.10	
	Fund Sources: General.....	\$205,704,005	\$208,422,905	
	Higher Education Operating.....	\$1,557,878,297	\$1,561,953,193	
	Debt Service.....	\$47,548,000	\$47,548,000	
<b>University of Virginia Medical Center (209)</b>				
199.	State Health Services (43000).....		\$2,331,852,899	\$2,429,057,746
	Inpatient Medical Services (43007).....	\$938,159,311	\$969,433,550	
	Outpatient Medical Services (43011).....	\$614,562,971	\$643,255,312	
	Administrative Services (43018).....	\$779,130,617	\$816,368,884	
	Fund Sources: Higher Education Operating.....	\$2,314,206,434	\$2,411,411,281	
	Debt Service.....	\$17,646,465	\$17,646,465	
Authority: §§ 23.1, Chapter 22, Article 3 , Code of Virginia and Chapter 38, Acts of Assembly of 1978.				
A. The appropriation to the University of Virginia Medical Center provides for the care, treatment, health related services and education activities associated with Virginia patients, including indigent and medically indigent patients. Inasmuch as the University of Virginia Medical Center is a state teaching hospital, this appropriation is to be used to jointly support the education of health students through patient care provided by this appropriation.				
B. By July 1 of each year, the Director, Department of Medical Assistance Services shall approve a common criteria and methodology for determining free care attributable to the appropriations in this Item. The Medical Center will report to the Department of Medical				

ITEM 199.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Assistance Services expenditures for indigent, medically indigent, and other patients. The Auditor of Public Accounts and the State Comptroller shall monitor the implementation of these procedures. The Medical Center shall report by October 31 annually to the Department of Medical Assistance Services, the Comptroller and the Auditor of Public Accounts on expenditures related to this Item. Reporting shall be by means of the indigent care cost report and shall follow criteria approved by the Director, Department of Medical Assistance Services.</p>				
<p>C. Funding for Family Practice is included in the University of Virginia's Educational and General appropriation. Support for other residencies is included in the hospital appropriation.</p>				
<p>D. It is the intent of the General Assembly that the University of Virginia Medical Center – Hospital maintain its efforts to staff residencies and fellow positions to produce sufficient generalist physicians in medically underserved regions of the state.</p>				
<p>E. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover medical center operations.</p>				
<p>F. Notwithstanding anything contrary to law, the University of Virginia has authority to determine compensation paid to Medical Center employees in accordance with policies established by the Board of Visitors.</p>				
<p>G. In order to provide the state share for Medicaid supplemental payments to Medicaid provider private hospitals in which the University of Virginia Medical Center has a non-majority interest, the University of Virginia shall transfer to the Department of Medical Assistance Services public funds that comply with 42 C.F.R. § 433.51.</p>				
200.	<p>The June 30, 2022 and June 30, 2023 unexpended balances of the University of Virginia Medical Center are hereby reappropriated; their use is subject to approval of allotments by the Department of Planning and Budget.</p>			
201.	<p>A full accrual system of accounting shall be effected by the institution, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia, with the provision that appropriations for operating expenses may not be used for capital projects.</p>			
			<b>\$2,331,852,899</b>	<b>\$2,429,057,746</b>
	Total for University of Virginia Medical Center.....			
	Nongeneral Fund Positions.....	7,963.22	7,996.22	
	Position Level.....	7,963.22	7,996.22	
	Fund Sources: Higher Education Operating.....	\$2,314,206,434	\$2,411,411,281	
	Debt Service.....	\$17,646,465	\$17,646,465	
<b>University of Virginia's College at Wise (246)</b>				
202.	Educational and General Programs (10000).....		\$42,355,876	\$40,549,150
	Higher Education Instruction (100101).....	\$22,124,406	\$20,898,340	
	Higher Education Public Services (100103).....	\$588,007	\$588,007	
	Higher Education Academic (100104).....	\$5,427,667	\$4,847,007	
	Higher Education Student Services (100105).....	\$3,259,167	\$3,259,167	
	Higher Education Institutional Support (100106).....	\$5,934,521	\$5,934,521	
	Operation and Maintenance Of Plant (100107).....	\$5,022,108	\$5,022,108	
	Fund Sources: General.....	\$29,668,614	\$27,348,324	
	Higher Education Operating.....	\$12,687,262	\$13,200,826	
<p>Authority: Title 23.1, Chapter 22, Article 2, Code of Virginia.</p>				
<p>A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).</p>				

ITEM 202.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>B. The software engineering curriculum being established to insure success of recent economic development projects in Southwest Virginia, shall be considered on its merits by the State Council of Higher Education for Virginia and shall not be dependent on funding by the Commonwealth.</p>				
<p>C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.</p>				
<p>D. Out of this appropriation, \$715,580 the first year from the general fund is designated to support debt service costs for the fifth payment of a five-year lease under the Master Equipment Lease Program (MELP) to upgrade the university's information technology network and security systems. In addition to these amounts, \$116,489 the first year and \$116,489 the second year from the general fund is designated to support training and software costs.</p>				
<p>E. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.</p>				
<p>F. Out of this appropriation, \$1,000,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>				
<p>G. Notwithstanding § 23.1-203(3) of the Code of Virginia, the escalation of the University of Virginia's College at Wise (the College) to offer master's level degree programs is approved. Any new master's degree program proposed by the College shall be reviewed and approved or disapproved by the State Council of Higher Education for Virginia consistent with the Council's duties per § 23.1-203(5) of the Code of Virginia.</p>				
203.	Higher Education Student Financial Assistance (10800).....		\$4,097,235	\$5,418,535
	Scholarships (10810).....	\$4,097,235	\$5,418,535	
	Fund Sources: General.....	\$4,047,235	\$5,368,535	
	Higher Education Operating.....	\$50,000	\$50,000	
<p>Authority: Title 23.1. Chapter 22, Article 2, Code of Virginia.</p> <p>Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.</p>				
204.	Financial Assistance For Educational and General Services (11000)		\$5,663,186	\$5,663,186
	a sum sufficient, estimated at.....			
	Sponsored Programs (11004).....	\$5,663,186	\$5,663,186	
	Fund Sources: Higher Education Operating.....	\$5,663,186	\$5,663,186	
<p>Authority: Title 23.1 Chapter 22, Article 2, Code of Virginia.</p>				
205.	Higher Education Auxiliary Enterprises (80900)		\$12,482,373	\$12,482,373
	a sum sufficient, estimated at.....			
	Food Services (80910).....	\$294,528	\$294,528	
	Bookstores And Other Stores (80920).....	\$268,500	\$268,500	
	Residential Services (80930).....	\$4,819,106	\$4,819,106	

ITEM 205.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Parking And Transportation Systems And Services (80940).....	\$160,252	\$160,252		
Student Health Services (80960).....	\$211,363	\$211,363		
Student Unions And Recreational Facilities (80970)...	\$1,326,389	\$1,326,389		
Recreational And Intramural Programs (80980).....	\$123,400	\$123,400		
Other Enterprise Functions (80990).....	\$2,054,235	\$2,054,235		
Intercollegiate Athletics (80995).....	\$3,224,600	\$3,224,600		
Fund Sources: Higher Education Operating.....	\$9,492,373	\$9,492,373		
Debt Service.....	\$2,990,000	\$2,990,000		
Authority: Title 23.1, Chapter 22, Article 2, Code of Virginia.				
Total for University of Virginia's College at Wise.....			<b>\$64,598,670</b>	<b>\$64,113,244</b>
General Fund Positions.....	171.46	171.46		
Nongeneral Fund Positions.....	207.24	211.24		
Position Level.....	378.70	382.70		
Fund Sources: General.....	\$33,715,849	\$32,716,859		
Higher Education Operating.....	\$27,892,821	\$28,406,385		
Debt Service.....	\$2,990,000	\$2,990,000		
Grand Total for University of Virginia.....			<b>\$4,207,581,871</b>	<b>\$4,311,095,088</b>
General Fund Positions.....	1,260.24	1,260.24		
Nongeneral Fund Positions.....	14,125.78	14,162.78		
Position Level.....	15,386.02	15,423.02		
Fund Sources: General.....	\$239,419,854	\$241,139,764		
Higher Education Operating.....	\$3,899,977,552	\$4,001,770,859		
Debt Service.....	\$68,184,465	\$68,184,465		

**§ 1-60. VIRGINIA COMMONWEALTH UNIVERSITY (236)**

206.	Educational and General Programs (10000).....			\$717,652,872	\$718,071,872
	Higher Education Instruction (100101).....	\$450,442,692	\$450,442,692		
	Higher Education Research (100102).....	\$14,858,290	\$14,858,290		
	Higher Education Public Services (100103).....	\$9,247,514	\$9,247,514		
	Higher Education Academic (100104).....	\$103,656,257	\$103,656,257		
	Higher Education Student Services (100105).....	\$26,749,121	\$26,749,121		
	Higher Education Institutional Support (100106).....	\$56,605,922	\$56,605,922		
	Operation and Maintenance Of Plant (100107).....	\$56,093,076	\$56,512,076		
	Fund Sources: General.....	\$240,009,158	\$240,218,158		
	Higher Education Operating.....	\$477,643,714	\$477,853,714		

Authority: Title 23.1, Chapter 23, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, \$4,336,607 the first year and \$4,336,607 the second year from the general fund is provided for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.

2. The university shall report by July 1 annually to the Department of Planning and Budget an operating plan for the Family Practice Residency Program.

3. The university, in cooperation with the University of Virginia, shall establish elective



ITEM 206.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Family Practice Medicine experiences in Southwest Virginia for both students and residents.				
4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in § 4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for Virginia Commonwealth University for purposes of determining the University's portion of the statewide general fund reduction requirement.				
C. Out of this appropriation, an amount estimated at \$332,140 the first year and \$332,140 the second year from the general fund and \$168,533 the first year and \$168,533 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.				
D.1. Out of this appropriation, not less than \$386,685 the first year and not less than \$536,685 the second year from the general fund is designated for the Virginia Center on Aging. This includes \$319,750 the first year and \$319,750 the second year for the Alzheimer's and Related Diseases Research Award Fund.				
2. Out of this appropriation, \$253,244 the first year and \$253,244 the second year from the general fund and \$356,250 the first year and \$356,250 the second year from nongeneral funds are designated for the operation of the Virginia Geriatric Education Center and the Geriatric Academic Career Awards Program, both to be administered by the Virginia Center on Aging.				
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. All other funding support for the center shall be maintained by the university at least at the level provided in fiscal year 2019.				
E. All costs for maintenance and operation of the physical plant of the School of Engineering, Phase I and future renovations, repairs, and improvements as they become necessary shall be financed from nongeneral funds.				
F. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from the general fund is designated for support of the Council on Economic Education.				
G. Out of this appropriation, \$192,753 the first year and \$192,753 the second year from the general fund is designated for support of the Education Policy Institute.				
H.1. Notwithstanding any other provisions of law, Virginia Commonwealth University is authorized to remit tuition and fees for merit scholarships for students of high academic achievement subject to the following limitations and restrictions:				
2. The number of such scholarships annually awarded to undergraduate Virginia students shall not exceed 20 percent of the fall headcount enrollment of Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of the headcount enrollment of Virginia students in undergraduate studies in the institution for the fall semester from the preceding academic year.				
3. The number of such scholarships annually awarded to undergraduate non-Virginia students shall not exceed 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution during the preceding academic year.				

ITEM 206.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
4. A scholarship awarded under this program shall entitle the holder to receive an annual remission of an amount not to exceed the cost of tuition and required fees to be paid by the student.				
I. Out of this appropriation, \$252,595 the first year and \$252,595 the second year from the general fund is provided for the Medical College of Virginia Palliative Care Partnership.				
J. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
K. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is designated for the Virginia Commonwealth University School of Pharmacy to support the Center for Compounding Practice and Research. The allocation will serve to support any costs associated with creating the Center including facility-related expenses as well as the purchase of the compounding equipment necessary for this state of the art teaching and research facility and will be leveraged as a matching gift with private funds. The Center will train Pharm.D. students to meet technical compounding demands, provide continuing education to registered pharmacists and conduct ongoing research on compounded medications.				
L. Out of this appropriation, \$255,000 the first year and \$255,000 the second year from the general fund is designated to support a substance abuse fellowship program and a sickle cell opioid management program at the Virginia Commonwealth University School of Medicine.				
M. Out of this appropriation, \$235,000 the first year and \$235,000 the second year from the general fund is designated to support a partnership between Virginia Commonwealth University and the Virginia Repertory Theatre at the historic November Theatre (formally known as the Empire Theatre).				
N. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Commonwealth University and the Commonwealth, as set forth in Chapters 594 and 616, of the 2008 Acts of Assembly.				
O. 1. Out of this appropriation, \$4,273,380 the first year and \$4,273,380 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.				
2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:				
a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;				
b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);				
c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and				
d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).				
3. Virginia Commonwealth University is expected to maintain increases in:				
a. Data Science and Technology awards of 20 annually over the base year.				

ITEM 206.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
<p>b. Science and Engineering awards of 30 annually over the base year.</p> <p>c. Healthcare awards of 40 annually over the base year.</p> <p>d. Education awards of 20 annually over the base year.</p> <p>e. The 2016-17 year will serve as the base year for these purposes.</p> <p>4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.</p> <p>P. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.</p> <p>Q. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is designated to fund research and programming activities at the Research Institute for Social Equity within the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University. The University shall conduct social equity research and analysis, work collaboratively with Virginia Union University, expand the Minority Political Leadership Institute, expand social equity training and development, and increase its racial equity and social justice tools and resources.</p> <p>R. Out of this appropriation, \$7,800,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>					
207.	Higher Education Student Financial Assistance (10800).....			\$76,013,975	\$86,680,875
	Scholarships (10810).....	\$71,938,191	\$82,279,691		
	Fellowships (10820).....	\$4,075,784	\$4,401,184		
	Fund Sources: General.....	\$42,365,386	\$53,032,286		
	Higher Education Operating.....	\$33,648,589	\$33,648,589		
<p>Authority: Title 23.1, Chapter 23, Code of Virginia.</p> <p>A. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.</p> <p>B. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.</p>					
208.	Financial Assistance For Educational and General Services (11000).....			\$343,858,802	\$338,858,802
	Eminent Scholars (11001).....	\$3,063,732	\$3,063,732		
	Sponsored Programs (11004).....	\$340,795,070	\$335,795,070		
	Fund Sources: General.....	\$26,512,500	\$21,512,500		
	Higher Education Operating.....	\$297,240,022	\$297,240,022		
	Debt Service.....	\$20,106,280	\$20,106,280		

ITEM 208.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Authority: Title 23.1, Chapter 23, Code of Virginia.				
A. Out of this appropriation, \$1,162,500 the first year and \$1,162,500 the second year from the general fund and \$6,600,000 the first year and \$6,600,000 the second year from nongeneral funds are designated to build research capacity in the areas of biomedical engineering and regenerative medicine.				
B. Out of this appropriation, \$25,000,000 the first year and \$20,000,000 the second year from the general fund is designated for the support of cancer research. Virginia Commonwealth University shall submit an annual report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on its use of state funds in cancer research.				
C. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the general fund is designated to support the Parkinson's and Movement Disorders Center.				
D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
209.	State Health Services (43000).....		\$32,652,534	\$32,652,534
	State Health Services Technical Support And Administration (43012).....	\$32,652,534	\$32,652,534	
	Fund Sources: Higher Education Operating.....	\$32,652,534	\$32,652,534	
Authority: Discretionary Inclusion.				
This appropriation includes funding to support 238 instructional and administrative faculty positions and for administrative and classified positions which provide services, through internal service agreements, to the Virginia Commonwealth University Health System Authority.				
210.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$176,177,902	\$176,177,902
	Food Services (80910).....	\$16,010,960	\$16,010,960	
	Bookstores And Other Stores (80920).....	\$5,338,412	\$5,338,412	
	Residential Services (80930).....	\$31,825,554	\$31,825,554	
	Parking And Transportation Systems And Services (80940).....	\$24,585,881	\$24,585,881	
	Telecommunications Systems And Services (80950).....	\$5,676,016	\$5,676,016	
	Student Health Services (80960).....	\$6,109,293	\$6,109,293	
	Student Unions And Recreational Facilities (80970).....	\$14,560,559	\$14,560,559	
	Recreational And Intramural Programs (80980).....	\$11,859,159	\$11,859,159	
	Other Enterprise Functions (80990).....	\$42,147,881	\$42,147,881	
	Intercollegiate Athletics (80995).....	\$18,064,187	\$18,064,187	
	Fund Sources: Higher Education Operating.....	\$142,310,022	\$142,310,022	
	Debt Service.....	\$33,867,880	\$33,867,880	
Authority: Title 23.1, Chapter 23, Code of Virginia.				
211.	Administrative and Support Services (19900).....		\$45,058,639	\$45,058,639
	Operation of Higher Education Centers (19931).....	\$45,058,639	\$45,058,639	
	Fund Sources: Higher Education Operating.....	\$45,058,639	\$45,058,639	
Authority: Title 23.1, Chapter 23, Code of Virginia.				
A.1. Out of this appropriation, \$45,058,639 the first year and \$45,058,639 the second year from nongeneral funds is designated to support the university's branch campus in Qatar.				
2. Notwithstanding § 2.2-1802 of the Code of Virginia, Virginia Commonwealth University is authorized to maintain a local bank account in Qatar and non-U.S. countries to facilitate business operations the VCU Qatar Campus. These accounts are exempt from the Securities				

ITEM 211.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
for Public Deposits Act, Title 2.2, Chapter 44 of the Code of Virginia.				
3. Procurements and expenditures from the local bank account(s) are not subject to the Virginia Public Procurement Act and the Commonwealth Accounting Policies and Procedures (CAPP) Manual. Virginia Commonwealth University will institute procurement policies based on competitive procurement principles, except as otherwise stated within these policies. Expenditures from the local bank account will be recorded in the Commonwealth Accounting and Reporting System by Agency Transaction Vouchers, as appropriated herewith with revenue recognized as equal to the expenditures.				
4. Notwithstanding § 2.2-1149 of the Code of Virginia, Virginia Commonwealth University is authorized to approve operating, income and capital leases in Qatar under policies and procedures developed by the University.				
5. Virginia Commonwealth University is authorized to establish and hire staff (non-faculty) positions in Qatar under policies and procedures developed by the University. These employees, who are employed solely to support the Qatar Campus are not considered employees of the Commonwealth of Virginia and are not subject to the Virginia Personnel Act. Employees hired as University and Academic Professionals are considered employees of the Commonwealth of Virginia and are subject to the university's policies, Management Agreement, and applicable law.				
6. The Board of Visitors of Virginia Commonwealth University is authorized to establish policies for the Qatar Campus.				
Total for Virginia Commonwealth University.....			<b>\$1,391,414,724</b>	<b>\$1,397,500,624</b>
General Fund Positions.....			1,507.80	1,507.80
Nongeneral Fund Positions.....			3,792.29	3,792.29
Position Level.....			5,300.09	5,300.09
Fund Sources: General.....			\$308,887,044	\$314,762,944
Higher Education Operating.....			\$1,028,553,520	\$1,028,763,520
Debt Service.....			\$53,974,160	\$53,974,160

**§ 1-61. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)**

212.	Educational and General Programs (10000).....			\$1,029,822,208	\$1,031,522,208
	Higher Education Instruction (100101).....	\$474,471,972	\$475,471,972		
	Higher Education Public Services (100103).....	\$4,895,968	\$4,895,968		
	Higher Education Academic (100104).....	\$101,046,410	\$101,046,410		
	Higher Education Student Services (100105).....	\$105,744,521	\$105,744,521		
	Higher Education Institutional Support (100106).....	\$243,037,318	\$243,037,318		
	Operation and Maintenance Of Plant (100107).....	\$100,626,019	\$101,326,019		
	Fund Sources: General.....	\$486,763,559	\$488,463,559		
	Higher Education Operating.....	\$543,058,649	\$543,058,649		

Authority: Title 23.1, Chapter 29, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. It is the objective of the Commonwealth that a standard of 70 percent full-time faculty be established for the Virginia Community College System. Consistent with higher education funding guidelines, it is expected that the Virginia Community College System will utilize the funds provided for base operating support to achieve this objective. In addition, the first priority for new funding provided to the community college system shall be for operating support at individual community colleges. Thirty days prior to the beginning of each fiscal year, the Virginia Community College System shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the allocation of all new general funds and nongeneral funds in this item and any cost



ITEM 212.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

based science lessons at the elementary level with industry input and support; and collaborative robotics programs between the community college and K-12 schools. It is expected that an equal amount of private funds will be generated as a match for the state support.

M. Out of this appropriation, \$19,560 the first year and \$19,560 the second year from the general fund shall be provided to Southside Virginia Community College. Out of this amount, \$7,824 each year from the general fund shall be provided to the Estes Community Center in Chase City, \$7,824 each year from the general fund shall be provided to the Lake Country Advanced Knowledge Center in South Hill, and \$3,912 the first year and \$3,912 the second year from the general fund shall be provided to the Clarksville Enrichment Complex.

N. Out of this appropriation, \$115,130 the first year and \$115,130 the second year from the general fund is provided for the Mecklenburg County Job Retraining Center.

O. Out of this appropriation, \$255,000 the first year and \$255,000 the second year from the general fund and \$163,000 the first year and \$163,000 the second year from nongeneral funds is designated for the operation of the Amherst Center of Central Virginia Community College. Central Virginia Community College shall report annually to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the number of students enrolled, the programs provided with number of students served and the number of degrees and certificates awarded by program.

P. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund is designated for Laurel Ridge Community College. Of this amount \$100,000 the first year and \$100,000 the second year is designated to expand the career and technical education programs at the Middletown Campus and \$100,000 the first year and \$100,000 the second year is designated for workforce training programs at the Fauquier Campus. The programs will be designed in collaboration with regional employers and high schools.

Q. Out of this appropriation, \$1,100,000 and seven positions the first year and \$1,100,000 and seven positions the second year from the general fund is designated for veterans resource centers at Northern Virginia Community College, Tidewater Community College, Virginia Peninsula Community College, Germanna Community College, J. Sargeant Reynolds Community College, Brightpoint Community College, and Virginia Western Community College.

R. Out of this appropriation, \$250,000 and nine positions the first year and \$250,000 and nine positions the second year from the general fund is designated to support the Rural Horseshoe Initiative.

S. Out of this appropriation, \$480,000 and two positions the first year and \$480,000 and two positions the second year from the general fund are designated for the Virginia Community College System, in partnership with the State Council of Higher Education for Virginia, to develop and maintain a mandated online repository for all transfer agreements, course equivalency tools, Passport Credit Program Guidelines and other informational resources related to transferring from a public two-year institution to a public four-year institution. The repository shall also include a Dual Enrollment Guide, Exam Equivalency Guide, Degree Searcher, and other transfer tools and components that support student transfer.

T. The Virginia Community College System is requested to work together with the City of Norfolk, Norfolk Public Schools, and other private or nonprofit entities for development of a plan for a possible Advanced Regional Technology and Workforce Academy in the City of Norfolk. The Academy will provide adult and youth workforce and educational services by Tidewater Community College in collaboration with Norfolk Public Schools and other local school divisions. The Virginia Community College System shall submit a proposed governance structure for the Academy and other proposed components of the plan to the Secretary of Education, the Secretary of Finance, and Chief Workforce Development Advisor for consideration.

U. Out of this appropriation, \$413,689 the first year and \$1,413,689 the second year from

ITEM 212.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>the general fund is designated for costs of three associate degree programs in Occupational Therapy Assistant, Physical Therapy Assistant, and Surgical Technology that have transferred to Virginia Western Community College as a result of the merger of Radford University and the Jefferson College of Health Sciences authorized in Chapter 60 of the 2019 Acts of Assembly.</p>				
<p>V. Out of this appropriation, \$4,000,000 the first year and \$4,000,000 the second year from the general fund is designated for advising, marketing, outreach and public awareness efforts for the G3 program in Item 213.</p>				
<p>W. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund is designated for health science and technology education at Virginia Western, New River and Mountain Gateway Community Colleges.</p>				
<p>X. Out of this appropriation, \$296,314 the first year and \$296,314 the second year from the general fund is designated for Southside Virginia Community College to implement the Solar Hands-On Instructional Network of Excellence (SHINE) workforce program.</p>				
<p>Y. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is designated for the Virginia Community College System (VCCS) to develop a state-funded grant program to support the Great Expectations Program in the following areas: the hiring of college coaches or mentors, housing stipends, child care, and transportation needs. VCCS shall report to the Commission on Youth the outcomes of the grant program by November 30 of each year. The Great Expectations Program serves young adults who have experienced foster care.</p>				
<p>Z. Out of this appropriation, \$1,500,000 the first year and \$1,000,000 the second year from the general fund is designated for enhancements to the cyber-security infrastructure.</p>				
<p>AA. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is designated for Virginia Peninsula Community College to support its collaboration with the Coastal Virginia Science, Technology, Engineering, and Mathematics Hub.</p>				
<p>BB. Out of this appropriation, \$300,000 and one position the first year and \$1,500,000 and two positions the second year from the general fund is designated for Danville Community College to establish an aviation maintenance technology program. Danville Community College shall develop a comprehensive work plan which includes an implementation plan, projected expenditures, performance benchmarks and partnership responsibilities. Danville Community College shall initiate the program and accreditation approval through federal and state entities and complete partnership agreements with Danville Regional Airport, Averett University, other higher education partners, participating K-12 school divisions, businesses and any public bodies necessary for program.</p>				
<p>CC. Out of this appropriation, \$3,900,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>				
213.	Higher Education Student Financial Assistance (10800)			
	a sum sufficient, estimated at.....		\$129,404,661	\$151,404,661
	Scholarships (10810).....		\$129,404,661	\$151,404,661
	Fund Sources: General.....		\$90,957,355	\$112,957,355
	Higher Education Operating.....		\$38,447,306	\$38,447,306
<p>Authority: Title 23.1, Chapter 29, Code of Virginia.</p>				
<p>A. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund is designated for Tidewater Community College to support an apprenticeship program for Virginia's shipyard workers. All general fund amounts appropriated for this apprenticeship program shall be used to provide scholarships to shipyard workers enrolled in the program. The conditions for receiving a scholarship shall be those conditions described in § 23.1-2912, Code of Virginia.</p>				
<p>B. Funding in this Item shall be allocated for the Virginia Guaranteed Assistance Program, the</p>				



ITEM 213.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

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.

C. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

D.1. Out of this appropriation, \$34,500,000 the first year and \$34,500,000 the second year from the general fund is designated for the Get Skilled, Get a Job, Give Back Program (G3 Program) pursuant to § 23.1-2911.2.

The programs covered under the G3 Program by Classification of Instructional Program (CIP) Codes are as follows:

CIP Code	Description
11.0101	Computer and Information Sciences, General
11.0103	Information Technology
11.0201	Computer Programming/ Programmer, General
11.0701	Computer Science
11.0801	Web Page, Digital/Multimedia and Information Resources Design
11.0901	Computer Systems Networking and Telecommunications
11.1001	Network and System Administration/ Administrator
11.1003	Computer and Information Systems Security/Information Assurance
13.0101	Education, General
13.1013	Education/Teaching of Individuals with Autism
13.1501	Teacher Assistant/Aide
15.0000	Engineering and Engineering-Related Fields
15.0101	Architectural Engineering Technology/Technician
15.0201	Civil Engineering Technology/Technician
15.0303	Electrical, Electronic and Communications Engineering Technology/Technician
15.0305	Telecommunications Technology/Technician
15.0599	Environmental Control Technologies/Technicians, Other
15.0612	Industrial Technology/Technician
15.0613	Manufacturing Engineering Technology/Technician

ITEM 213.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
15.0699		Industrial Production Technologies/Technicians, Other		
15.0899		Mechanical Engineering Related Technologies/Technicians, Other		
15.0901		Mining Technology/Technician		
15.1301		Drafting and Design Technology/Technician, General		
15.1302		CAD/CADD Drafting and/or Design Technology/Technician		
15.1303		Architectural Drafting and Architectural CAD/CADD		
15.1401		Nuclear Engineering Technology/Technician		
15.9999		Engineering Technologies and Engineering-Related Fields, Other		
19.0707		Family and Community Services		
19.0709		Child Care Provider/Assistant		
30.0101		Biological and Physical Sciences		
41.0101		Biology Technician/Biotechnology Laboratory Technician		
43.0102		Corrections		
43.0103		Criminal Justice/Law Enforcement Administration		
43.0104		Criminal Justice/Safety Studies		
43.0106		Forensic Science and Technology		
43.0107		Criminal Justice/Police Science		
43.0203		Fire Science/Fire-fighting		
43.0303		Critical Infrastructure Protection		
43.0406		Homeland Security, Other		
43.9999		Homeland Security, Law Enforcement, Firefighting and Related Protective Services, Other		
46.0000		Construction Trades		
46.0302		Electrician		
47.0000		Mechanic and Repair Technologies / Technicians		
47.0101		Electrical/Electronics Equipment Installation and Repair, General		
47.0105		Industrial Electronics Technology/Technician		
47.0201		Heating, Air Conditioning, Ventilation and Refrigeration Maintenance Technology/Technician		

ITEM 213.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
47.0603		Autobody/Collision and Repair Technology/Technician		
47.0604		Automobile/Automotive Mechanics Technology/Technician		
47.0605		Diesel Mechanics Technology/Technician		
47.0607		Airframe Mechanics and Aircraft Maintenance Technology/Technician		
48.0000		Precision Production		
48.0501		Machine Tool Technology/Machinist		
48.0508		Welding Technology/Welder		
48.0599		Precision Metal Working, Other		
48.0701		Woodworking, General		
51.0601		Dental Assisting/Assistant		
51.0602		Dental Hygiene/Hygienist		
51.0603		Dental Laboratory Technology/Technician		
51.0707		Health Information/Medical Records Technology/Technician		
51.0708		Medical Transcription/ Transcriptionist		
51.0713		Medical Insurance Coding Specialist/Coder		
51.0799		Health and Medical Administrative Services, Other		
51.0801		Medical/Clinical Assistant		
51.0803		Occupational Therapist Assistant		
51.0805		Pharmacy Technician/Assistant		
51.0806		Physical Therapy Technician/Assistant		
51.0808		Veterinary/Animal Health Technology/Technician and Veterinary Assistant		
51.0904		Emergency Medical Technology/Technician (EMT Paramedic)		
51.0907		Medical Radiologic Technology/Science - Radiation Therapist		
51.0908		Respiratory Care Therapy/Therapist		
51.0909		Surgical Technology/Technologist		
51.0910		Diagnostic Medical Sonography/Sonographer and Ultrasound Technician		
51.0911		Radiologic		

ITEM 213.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
		Technology/Science - Radiographer		
	51.0912	Physician Assistant		
	51.0999	Allied Health Diagnostic, Intervention, and Treatment Professions, Other		
	51.1004	Clinical/Medical Laboratory Technician		
	51.1005	Clinical Laboratory Science/Medical Technology/Technologist		
	51.1009	Phlebotomy Technician/Phlebotomist		
	51.1105	Pre-Nursing Studies		
	51.1501	Substance Abuse/Addiction Counseling		
	51.1504	Community Health Services/Liaison/Counseling		
	51.1508	Mental Health Counseling/Counselor		
	51.1599	Mental and Social Health Services and Allied Professions, Other		
	51.1801	Opticianry/Ophthalmic Dispensing Optician		
	51.2706	Medical Informatics		
	51.3101	Dietetics/Dietitian		
	51.3501	Massage Therapy/Therapeutic Massage		
	51.3801	Registered Nursing/Registered Nurse		
	51.3899	Registered Nursing, Nursing Administration, Nursing Research and Clinical Nursing, Other		
	51.3901	Licensed Practical/Vocational Nurse Training		
	51.3902	Nursing Assistant/Aide and Patient Care Assistant/Aide		

2. a. By December 1 of each year, the Office of Education and Labor Market Alignment within the Virginia Economic Development Partnership Authority System shall evaluate the skills and training including those provided through high school career and technical education, credentials, certifications, apprenticeships, internships, and other degree and non-degree programs needed for Virginians to fill jobs available in certified regional council areas.

b. Based on this evaluation, the Office of Education and Labor Market Alignment within the Virginia Economic Development Partnership Authority System shall make recommendations to the Governor and General Assembly what programs should be offered in each region that qualify for financial assistance under the G3 Program.

c. All additions and changes to the eligible high-demand fields for which programs may be offered pursuant to this item shall be approved by the General Assembly prior to implementation.

3. In order to be eligible for financial assistance under this program at a qualified public institution, an applicant shall:

a. Receive a total household income less than or equal to four hundred percent of the Federal

ITEM 213.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Poverty Level;				
b. Be enrolled or accepted for enrollment as a full-time or part-time student at an approved institution in an approved program specific to a high-demand field, as specified in paragraph D.1., and shall be enrolled in a minimum of six credit hours per semester, or in an eligible non-credit program;				
c. Have submitted complete applications for federal and state student financial aid programs for which they may be eligible.				
d. In addition, healthcare workers, first responders and other essential workers as defined under Phase 1a and 1b of the Center for Disease Control (CDC) and Virginia Department of Health (VDH) and that are serving in the frontline of the COVID-19 pandemic shall, subject to the provisions of paragraph D.1. of this item, be eligible for programs offered under the G-3 initiative that enhance or upgrade their skills at no cost during the period that is covered under the state of emergency and for two years thereafter.				
4. In order to remain eligible for financial assistance under this program at an approved institution, a participating student shall:				
a. Meet standards for Satisfactory Academic Progress and maintain the required grade point average established by federal Higher Education Act of 1965 Title IV requirements;				
b. Demonstrate reasonable progress to complete their specific program of study to earn an associate degree in no more than three years;				
c. Not exceed 150 percent of required credits of certificate or degree.				
5. a. Payments out of this appropriation shall provide (i) grants up to the amount necessary to pay for the last-dollar cost of the enrolled institution's tuition, mandatory fees, and textbook stipend for eligible students after all other qualified federal and state financial aid, and (ii) a Student Support Incentive Grant up to \$2,250 per year for eligible students who are enrolled full-time and receive full Federal Pell Grants.				
b. Each Student Support Incentive Grant shall be distributed to the eligible students in two equal payments, with the first disbursement after the census date for the enrollment period is reached, and the final disbursement at the end of the term of which the students qualified. Students who withdraw or stop attending during the term shall not receive additional payments and shall be subject to repayment of the funds already received. An eligible student may receive up to \$900 per semester and up to \$450 per Summer Term.				
6. a. Funds for marketing and public awareness efforts to increase participation in the program are contained in Item 212 V. of this act.				
b. The governing boards of Virginia's public associate degree-granting institutions shall ensure that program participation does not exceed budget appropriation.				
7. a. No later than September 1 of each year, each Virginia public associate degree-granting institution shall submit to the State Council of Higher Education for Virginia and the Virginia Community College System a report with data from the previous fiscal year on program participation and completion, including data on what high-demand fields are supported by students at each institution.				
b. The Council and System shall work collaboratively to compile the data provided by each public associate degree-granting institution and report such data, in aggregate and by institution annually, to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Senate Education and Health Committee, and the House Education Committee. The report must include student enrollment, retention rates between terms and academic years, wage data including median wages prior to enrollment and one year after completion of a credential or degree, wage rates of students who have not enrolled in over a year and did not complete a credential, and a comparison of demand of jobs and completion rates. The report must disaggregate the information above by program of study, college, and student income level at start of program.				

ITEM 214.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
214.	Financial Assistance For Educational and General Services (11000).....			\$60,736,044	\$60,736,044
	Sponsored Programs (11004).....	\$60,736,044	\$60,736,044		
	Fund Sources: Higher Education Operating.....	\$60,736,044	\$60,736,044		

Authority: Title 23.1, Chapter 29, Code of Virginia.

The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

215.	Economic Development Services (53400).....			\$128,352,970	\$128,352,970
	Management of Workforce Development Program Services (53427).....	\$128,352,970	\$128,352,970		
	Fund Sources: General.....	\$12,351,314	\$12,351,314		
	Higher Education Operating.....	\$116,001,656	\$116,001,656		

Authority: Title 23.1, Chapter 29, Code of Virginia.

A. 1. Out of this appropriation, \$53,850,629 and 38 positions the first year, and \$53,850,629 and 38 positions the second year from nongeneral funds is provided for the administration and implementation of workforce development programs as part of the federal Workforce Innovation and Opportunity Act of 2014 (WIOA).

2. Out of this appropriation, and consistent with Sections 128 and 133 of WIOA, 15% of the nongeneral funds received for the administration of Title I of WIOA shall be reserved by the Governor in a fund to support administration of the Title 1 programs and to support statewide strategic workforce initiatives. At the end of the federal allotment cycle, unobligated Rapid Response funds shall also be transferred to the Governor's fund, consistent with Section 134 of WIOA. The investment strategy for the fund shall be determined by the Governor, in consultation with the Chief Workforce Development Advisor, the Virginia Community College System, and workforce system stakeholders no later than the first day of the federal program year for WIOA Title I. The investment strategy shall be consistent with required and allowable activities under Section 134 of WIOA. By December 15 of each year, the Chief Workforce Development Advisor shall report on the use of funds and generated outcomes to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

B. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the general fund is provided to continue planning for the advanced integrated manufacturing technology program at Virginia Peninsula Community College.

C.1. Out of this appropriation, \$666,162 the first year and \$666,162 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick and Henry Community College.

2. Out of this appropriation, \$1,086,350 the first year and \$1,086,350 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick and Henry Community College for an ongoing match for a grant from the U.S. Department of Commerce to develop a manufacturer assistance program covering most of Virginia.

D. It is the intent of the General Assembly that noncredit business and industry work-related training courses and programs offered by community colleges be funded at a ratio of 30 percent from the general fund and 70 percent from nongeneral funds. Out of this appropriation, \$664,647 in the first year and \$664,647 in the second year from the general fund is designated for this purpose. These funds may be combined with funds of \$249,243 the first year and \$249,243 the second year already included in the Virginia Community College System budget for the "Virginia Works" program. The funds will be allocated by formula to all colleges based on the number of individuals served by non-credit activities.

E.1. As recommended by House Joint Resolution No. 622 (1997), the Joint Subcommittee to Study Noncredit Education for Workforce Training in the Commonwealth, the Virginia Community College System is directed to establish one or more Institutes of Excellence responsible for development of statewide training programs to meet current, high demand

ITEM 215.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>workforce needs of the Commonwealth. Out of this appropriation, at least \$664,647 the first year and \$664,647 the second year from the general fund is available to support the Institutes of Excellence.</p>				
<p>2. Under the guidance of the Virginia Workforce Council, authorized in Title 2.2, Chapter 26, Article 25, Code of Virginia, the Virginia Community College System shall submit to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees by November 4 of each year a report detailing the financing, activities, accomplishments and plans for the Institutes of Excellence and the four workforce development centers, and outcomes of the appropriations for 23 workforce coordinators and for non-credit training. The report shall include, but not be limited to:</p>				
<p>a. performance measures to be used to evaluate the effectiveness of the workforce coordinators at all 23 colleges;</p>				
<p>b. detailed information on number of students trained, employers served and courses offered; the types of certifications awarded; and the participation by local governments and the public or private sector, and other data relevant to the activities of the four regional workforce development centers;</p>				
<p>c. the number of students trained, employers served and courses offered through noncredit instruction, and the amounts of local government, public or private sector funding used to match this appropriation; and</p>				
<p>d. the amount or percentage of private and public funding contributed for the institutes' programming and operating needs; the number of private and public partnerships involved in the institutes' programming; the number of faculty and colleges affected by the institutes' programming; and performance measures to be used to evaluate the sharing or broadcasting of information and new/improved/updated curricula to other Virginia Community College campuses.</p>				
<p>F. Out of this appropriation, \$1,196,820 and 23 positions the first year and \$1,196,820 and 23 positions the second year from the general fund is provided for staff who will be responsible for coordinating workforce training in the campus service area. The staff will work with local business and industry to determine training needs, coordinate with local economic development personnel, the local workforce training council, and other providers. It is the General Assembly's intent that the Virginia Community College System maximize these positions by encouraging funding matches at the local level.</p>				
<p>G. Out of this appropriation, \$470,880 and four positions the first year and \$470,880 and four positions the second year from the general fund is provided for four workforce training centers: the Peninsula Workforce Development Center (Virginia Peninsula Community College), \$78,480 and one position the first year and \$78,480 and one position the second year; the Regional Center for Applied Technology Training (Danville Community College), \$156,960 and one position the first year and \$156,960 and one position the second year; a Workforce Development Center at Paul D. Camp Community College, \$156,960 and one position the first year and \$156,960 and one position the second year; and the Central Virginia Manufacturing Technology Training Center in the Lynchburg area, \$78,480 and one position the first year and \$78,480 and one position the second year. Each center shall provide a 25 percent match prior to the release of state funding.</p>				
<p>H. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is designated to continue the pre-hire immersion training program.</p>				
<p>I. Out of this appropriation, \$460,000 the first year and \$460,000 the second year from the general fund is designated to support the veteran's credit for prior learning application.</p>				
<p>J. Out of this appropriation, \$104,950 the first year and \$104,950 the second year from the general fund is designated to support career and technical education at Laurel Ridge Community College's Luray-Page County Center with a focus on healthcare and medical programs.</p>				
<p>K. Out of this appropriation, \$310,000 the first year and \$310,000 the second year from the general fund is designated to implement a pilot program between Virginia Western</p>				

ITEM 215.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Community College, Botetourt County Public Schools, and local industry partners to meet the demand for mechatronic technicians. The program goal is to prepare 100 Mechatronic Engineering Technicians over five years using established career pathways with Botetourt County Public Schools and Virginia Western Community College and a sustainable faculty preparation program.				
L. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from the general fund is designated to implement a pilot program between Virginia Western Community College, Roanoke City Public Schools and local industry partners to create a Career Technical dual track program to allow high school students the opportunity to complete high school with both a diploma and a workforce credential / certificate.				
M. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is designated towards implementing a construction pre-hire immersion training pilot program at two community colleges.				
N. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover workforce development program operations.				
O. Out of this appropriation, \$475,000 each year from the general fund is designated to implement a pilot program between Rappahannock Community College and Virginia Commonwealth University Health System to create a certified sonographer education and training program in order to address significant workforce shortages across the Commonwealth. Funding shall support capital, equipment, and staffing needs to create two training labs in the Rappahannock Community College service region.				
216.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$53,821,317	\$53,821,317
	Food Services (80910).....	\$1,238,576	\$1,238,576	
	Bookstores And Other Stores (80920).....	\$14,447,297	\$14,447,297	
	Parking And Transportation Systems And Services (80940).....	\$18,487,416	\$18,487,416	
	Student Unions And Recreational Facilities (80970)...	\$19,648,028	\$19,648,028	
	Fund Sources: Higher Education Operating.....	\$37,710,554	\$37,710,554	
	Debt Service.....	\$16,110,763	\$16,110,763	
Authority: Title 23.1, Chapter 29, Code of Virginia.				
217.	The appropriations in this section are for the following community colleges:			
	<b>College I.D.</b>	<b>Community College</b>	<b>College I.D.</b>	<b>Community College</b>
	61	System Office	80	Northern Virginia
	70	Shared Services Center	85	Patrick and Henry
	91	Blue Ridge	77	Paul D. Camp
	92	Central Virginia	82	Piedmont
	87	Mountain Gateway	78	Rappahannock
	79	Danville	76	Southside Virginia
	84	Eastern Shore	94	Southwest Virginia
	97	Germanna	93	Virginia Peninsula
	83	J. Sargeant Reynolds	95	Tidewater
	90	Brightpoint	96	Virginia Highlands
	98	Laurel Ridge	86	Virginia Western
	99	Mountain Empire	88	Wytheville
	75	New River		
	Total for Virginia Community College System.....		<b>\$1,402,137,200</b>	<b>\$1,425,837,200</b>
	General Fund Positions.....	5,634.57	5,635.57	
	Nongeneral Fund Positions.....	5,296.58	5,296.58	



ITEM 217.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Position Level.....	10,931.15	10,932.15		
Fund Sources: General.....	\$590,072,228	\$613,772,228		
Higher Education Operating.....	\$795,954,209	\$795,954,209		
Debt Service.....	\$16,110,763	\$16,110,763		

**§ 1-62. VIRGINIA MILITARY INSTITUTE (211)**

218.	Educational and General Programs (10000).....			\$57,437,165	\$56,725,605
	Higher Education Instruction (100101).....	\$25,067,132	\$24,651,892		
	Higher Education Public Services (100103).....	\$88,135	\$88,135		
	Higher Education Academic (100104).....	\$6,821,076	\$6,821,076		
	Higher Education Student Services (100105).....	\$4,046,027	\$4,010,707		
	Higher Education Institutional Support (100106)....	\$11,785,331	\$11,355,331		
	Operation and Maintenance Of Plant (100107).....	\$9,629,464	\$9,798,464		
	Fund Sources: General.....	\$20,809,176	\$20,269,276		
	Higher Education Operating.....	\$36,227,989	\$36,056,329		
	Debt Service.....	\$400,000	\$400,000		

Authority: Title 23.1, Chapter 25, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals as described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. Resources determined by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the base adequacy funding guidelines.

D. 1. Out of this appropriation, \$395,740 the first year and \$395,740 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Virginia Military Institute is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

ITEM 218.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
<p>b. Science and Engineering awards of 5 annually over the base year.</p> <p>c. The 2016-17 year will serve as the base year for these purposes.</p> <p>4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.</p> <p>E. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.</p> <p>F. Out of this appropriation, \$3,729,287 the first year and \$3,120,387 the second year from the general fund is designated to address the One Corps initiatives related to Title IX Coordination, the Commandant Staff, the Legal Affairs Office, Academic and Student Programs, Compliance and Reporting and Commemorations and Memorials as well as targeted staff salary compression issues.</p> <p>G. Out of this appropriation, \$1,800,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>					
219.	Higher Education Student Financial Assistance (10800).....			\$5,787,018	\$6,018,318
	Scholarships (10810).....	\$5,787,018	\$6,018,318		
	Fund Sources: General.....	\$1,187,018	\$1,418,318		
	Higher Education Operating.....	\$4,600,000	\$4,600,000		
<p>Authority: Title 23.1, Chapter 25, § 23.1-2506, Code of Virginia.</p> <p>A. Out of the amounts for Scholarships and Loans, the institute shall provide for State Cadetships and for discretionary student aid.</p> <p>B. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.</p>					
220.	Financial Assistance For Educational and General Services (11000)				
	a sum sufficient, estimated at.....			\$894,898	\$894,898
	Eminent Scholars (11001).....	\$200,000	\$200,000		
	Sponsored Programs (11004).....	\$694,898	\$694,898		
	Fund Sources: Higher Education Operating.....	\$894,898	\$894,898		
<p>Authority: Title 23.1, Chapter 25, Code of Virginia.</p>					
221.	Unique Military Activities (11300).....			\$11,209,162	\$10,764,162
	Fund Sources: General.....	\$6,275,771	\$5,859,671		
	Higher Education Operating.....	\$4,933,391	\$4,904,491		
<p>Authority: Discretionary Inclusion.</p> <p>A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.</p>					

ITEM 221.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.				
222.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$30,418,510	\$30,418,510
	Food Services (80910).....	\$7,497,369	\$7,497,369	
	Bookstores And Other Stores (80920).....	\$1,174,021	\$1,174,021	
	Residential Services (80930).....	\$2,080,471	\$2,080,471	
	Student Health Services (80960).....	\$232,440	\$232,440	
	Student Unions And Recreational Facilities (80970).....	\$1,838,039	\$1,838,039	
	Recreational And Intramural Programs (80980).....	\$955,874	\$955,874	
	Other Enterprise Functions (80990).....	\$11,245,395	\$11,245,395	
	Intercollegiate Athletics (80995).....	\$5,394,901	\$5,394,901	
	Fund Sources: Higher Education Operating.....	\$27,920,510	\$27,920,510	
	Debt Service.....	\$2,498,000	\$2,498,000	
Authority: Title 23.1, Chapter 25, Code of Virginia.				
	Total for Virginia Military Institute.....		<b>\$105,746,753</b>	<b>\$104,821,493</b>
	General Fund Positions.....	203.71	203.71	
	Nongeneral Fund Positions.....	292.06	292.06	
	Position Level.....	495.77	495.77	
	Fund Sources: General.....	\$28,271,965	\$27,547,265	
	Higher Education Operating.....	\$74,576,788	\$74,376,228	
	Debt Service.....	\$2,898,000	\$2,898,000	

**§ 1-63. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)**

223.	Educational and General Programs (10000).....		\$889,805,983	\$890,988,983
	Higher Education Instruction (100101).....	\$536,637,766	\$536,637,766	
	Higher Education Research (100102).....	\$23,409,533	\$23,409,533	
	Higher Education Public Services (100103).....	\$25,486,759	\$25,486,759	
	Higher Education Academic (100104).....	\$98,163,445	\$98,163,445	
	Higher Education Student Services (100105).....	\$27,074,183	\$27,074,183	
	Higher Education Institutional Support (100106).....	\$86,382,514	\$86,382,514	
	Operation and Maintenance Of Plant (100107).....	\$92,651,783	\$93,834,783	
	Fund Sources: General.....	\$211,354,059	\$211,803,059	
	Higher Education Operating.....	\$678,451,924	\$679,185,924	

Authority: Title 23.1, Chapter 26, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation shall be expended an amount estimated at \$869,882 the first year and \$869,882 the second year from the general fund and \$436,357 the first year and \$436,357 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.

C. Out of this appropriation, \$301,219 the first year and \$301,219 the second year from the general fund is designated to support the Marion duPont Scott Equine Center of the Virginia-Maryland Regional College of Veterinary Medicine.

ITEM 223.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
D. Out of this appropriation, \$225,588 the first year and \$225,588 the second year from the general fund is designated to support tobacco research for medicinal purposes and field tests at sites in Blackstone and Abingdon.				
E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
F. Out of this appropriation, \$288,000 the first year and \$288,000 the second year from the general fund is designated to develop a STEM Industry Internship program in partnership with the Virginia Space Grant Consortium, Virginia Regional Technology Councils and industry. The program will provide 75 undergraduate students across the Commonwealth an opportunity to centrally apply for real world work experience and provide Virginia's industries with access to qualified interns. Virginia Tech will partner with the Virginia Space Grant Consortium and work with Virginia's Regional Technology Councils who will serve as the program's conduit to industry, advertising the program and linking with interested industry partners.				
G. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.				
H. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the general fund is designated to support a cyber range platform to be used for cyber security training by students in Virginia's public high schools, community colleges, and four-year institutions. Virginia Tech shall form a consortium among participating institutions, and shall serve as the coordinating entity for use of the platform. The consortium should initially include all Virginia public institutions with a certification of academic excellence from the federal government.				
I. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.				
J. 1. Out of this appropriation, \$5,215,880 the first year and \$5,215,880 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.				
2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:				
a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;				
b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);				
c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1				

ITEM 223.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
completion report for the Health Professions and Related Programs (51); and				
d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).				
3. Virginia Tech is expected to maintain increases in:				
a. Data Science and Technology awards of 60 annually over the base year.				
b. Science and Engineering awards of 100 annually over the base year.				
c. The 2016-17 year will serve as the base year for these purposes.				
4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.				
K. Out of this appropriation, \$5,500,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.				
224.	Higher Education Student Financial Assistance (10800).....		\$40,020,794	\$46,101,994
	Scholarships (10810).....	\$33,978,369	\$39,577,169	
	Fellowships (10820).....	\$6,042,425	\$6,524,825	
	Fund Sources: General.....	\$26,591,936	\$32,673,136	
	Higher Education Operating.....	\$13,428,858	\$13,428,858	
Authority: Soil Scientist Scholarships: Title 23.1, Chapter 26, and § 23.1-615, Code of Virginia.,				
A. Out of the amount for Scholarships, the following sums shall be made available from the general fund for:				
1. Soil Scientist Scholarships, \$11,000 the first year and \$11,000 the second year.				
2. Scholarships, internships, and graduate assistantships administered by the Multicultural Academic Opportunities Program at the university, \$86,500 the first year and \$86,500 the second year. Eligible students must have financial need and participate in an academic support program.				
B. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.				
C. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
225.	Financial Assistance For Educational and General Services (11000).....		\$392,037,507	\$392,037,507
	Eminent Scholars (11001).....	\$2,000,000	\$2,000,000	
	Sponsored Programs (11004).....	\$390,037,507	\$390,037,507	
	Fund Sources: General.....	\$9,388,544	\$9,388,544	
	Higher Education Operating.....	\$382,648,963	\$382,648,963	
Authority: Title 23.1, Chapter 26, Code of Virginia.				
A. Out of this appropriation, \$2,388,544 the first year and \$2,388,544 the second year from the general fund and \$15,000,000 the first year and \$15,000,000 the second year from nongeneral funds are designated to build research capacity in the areas of bioengineering, biomaterials and nanotechnology.				

ITEM 225.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>B. Virginia Polytechnic Institute and State University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of the Institute for Distance and Distributed Learning (IDDL) classes offered to students at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for IDDL students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. The Board of Visitors shall set tuition and fee rates to meet this requirement and shall set other policies regarding the IDDL as may be appropriate. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the Auditor of Public Accounts. As a part of this "instructional enterprise" fund Virginia Tech is authorized to establish a program in which Internet-based (on-line) courses, certificate, and entire degree programs, primarily at the graduate level, are offered to students in Virginia who are not enrolled for classes on the Blacksburg campus or one of the extended campus locations. Tuition generated by Virginia students taking these on-line courses and tuition from IDDL students at locations outside Virginia shall be retained in the fund to support the entire IDDL program and shall not be used by the state to offset other Educational and General costs. Revenues in excess of expenditures shall be retained in the fund to support the entire IDDL program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.</p> <p>C. Out of this appropriation, \$3,000,000 the first year and \$3,000,000 the second year from the general fund is designated to support and enhance brain disorder research.</p> <p>D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.</p> <p>E. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund is designated for support of the Focused Ultrasound Research Program to support core programs and research activities. The funding in this paragraph supports the activities and research at Virginia Tech as designated by the Focused Ultrasound Foundation, including coordinated activities with the University of Virginia.</p> <p>F. Out of this appropriation, \$500,000 each year from the general fund is designated to support the necessary staffing, equipment, and related services for the Potomac Aquifer Recharge Monitoring Laboratory established in § 62.1-274, Code of Virginia.</p>				
226.	Unique Military Activities (11300).....		\$3,278,212	\$3,649,074
	Fund Sources: General.....	\$3,278,212	\$3,649,074	
	Authority: Discretionary Inclusion.			
	<p>A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.</p> <p>2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.</p>			
227.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$313,121,077	\$313,121,077
	Food Services (80910).....	\$58,017,586	\$58,017,586	
	Residential Services (80930).....	\$54,276,261	\$54,276,261	
	Parking And Transportation Systems And Services (80940).....	\$13,709,452	\$13,709,452	
	Telecommunications Systems And Services (80950)..	\$19,617,224	\$19,617,224	
	Student Health Services (80960).....	\$11,308,313	\$11,308,313	
	Student Unions And Recreational Facilities (80970)...	\$18,411,985	\$18,411,985	
	Recreational And Intramural Programs (80980).....	\$9,123,592	\$9,123,592	
	Other Enterprise Functions (80990).....	\$61,473,310	\$61,473,310	
	Intercollegiate Athletics (80995).....	\$67,183,354	\$67,183,354	

ITEM 227.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: Higher Education Operating.....	\$302,770,577	\$302,770,577		
Debt Service.....	\$10,350,500	\$10,350,500		
Authority: Title 23.1, Chapter 26, Code of Virginia.				
Total for Virginia Polytechnic Institute and State University.....			<b>\$1,638,263,573</b>	<b>\$1,645,898,635</b>
General Fund Positions.....	1,890.53	1,890.53		
Nongeneral Fund Positions.....	4,933.45	4,933.45		
Position Level.....	6,823.98	6,823.98		
Fund Sources: General.....	\$250,612,751	\$257,513,813		
Higher Education Operating.....	\$1,377,300,322	\$1,378,034,322		
Debt Service.....	\$10,350,500	\$10,350,500		

**Virginia Cooperative Extension and Agricultural Experiment Station (229)**

228.	Educational and General Programs (10000).....		\$101,914,286	\$101,050,286
	Higher Education Research (100102).....	\$45,604,407	\$44,314,407	
	Higher Education Public Services (100103).....	\$51,704,190	\$52,032,190	
	Higher Education Academic (100104).....	\$741,724	\$741,724	
	Operation and Maintenance Of Plant (100107).....	\$3,863,965	\$3,961,965	
	Fund Sources: General.....	\$82,626,439	\$81,757,439	
	Higher Education Operating.....	\$19,287,847	\$19,292,847	

Authority: Title 23.1, Chapter 26, Article 2, Code of Virginia.

A. Appropriations for this agency shall include operating expenses for research and investigations, and the several regional and county agricultural experiment stations under its control, in accordance with law.

B.1. It is the intent of the General Assembly that the Cooperative Extension Service gives highest priority to programs and services which comprised the original mission of the Extension Service, especially agricultural programs at the local level. The university shall ensure that the service utilizes information technology to the extent possible in the delivery of programs.

2. The budget of this agency shall include and separately account for local payments. Virginia Polytechnic Institute and State University, in conjunction with Virginia State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the agency, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance Committees. The report shall include all expenditures from local support funds.

C. The Virginia Cooperative Extension and Agricultural Experiment Station shall not charge a fee for testing the soil on property used for commercial farming.

D. It is the intent of the General Assembly that the general fund share for the Virginia Cooperative Extension and Agriculture Experiment Station shall be 95 percent.

E. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

F. Out of this appropriation, \$1,615,000 the first year is designated for the equipment at the Agricultural Research and Extension Centers in support of the Building Resilience in Virginia Communities through Cooperative Extension and Agricultural Research initiative.

Total for Virginia Cooperative Extension and Agricultural Experiment Station.....			<b>\$101,914,286</b>	<b>\$101,050,286</b>
---	--	--	----------------------	----------------------

ITEM 228.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
General Fund Positions.....	731.24	731.24		
Nongeneral Fund Positions.....	388.27	388.27		
Position Level.....	1,119.51	1,119.51		
Fund Sources: General.....	\$82,626,439	\$81,757,439		
Higher Education Operating.....	\$19,287,847	\$19,292,847		
Grand Total for Virginia Polytechnic Institute and State University.....			<b>\$1,740,177,859</b>	<b>\$1,746,948,921</b>
General Fund Positions.....	2,621.77	2,621.77		
Nongeneral Fund Positions.....	5,321.72	5,321.72		
Position Level.....	7,943.49	7,943.49		
Fund Sources: General.....	\$333,239,190	\$339,271,252		
Higher Education Operating.....	\$1,396,588,169	\$1,397,327,169		
Debt Service.....	\$10,350,500	\$10,350,500		

**§ 1-64. VIRGINIA STATE UNIVERSITY (212)**

229.	Educational and General Programs (10000).....			\$102,401,934	\$103,542,356
	Higher Education Instruction (100101).....	\$63,099,494	\$64,665,695		
	Higher Education Research (100102).....	\$2,208,693	\$2,208,693		
	Higher Education Public Services (100103).....	\$120,472	\$120,472		
	Higher Education Academic (100104).....	\$6,718,971	\$6,718,971		
	Higher Education Student Services (100105).....	\$6,215,135	\$6,215,135		
	Higher Education Institutional Support (100106).....	\$15,769,691	\$15,343,912		
	Operation and Maintenance Of Plant (100107).....	\$8,269,478	\$8,269,478		
	Fund Sources: General.....	\$61,636,894	\$62,777,316		
	Higher Education Operating.....	\$40,765,040	\$40,765,040		

Authority: Title 23.1, Chapter 27, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, \$3,790,639 the first year and \$3,790,639 the second year from the general fund is designated for continued enhancement of the existing Bachelor of Science academic programs in Computer Science, Manufacturing Engineering, Computer Engineering, Mass Communications and Criminal Justice, and the doctoral program in Education.

2. Out of this appropriation, \$37,500 the first year and \$37,500 the second year from the general fund is provided to serve in lieu of endowment income for the Eminent Scholars Program.

3. Any unexpended balances in paragraphs B.1. and B.2. in this Item at the close of business on June 30, 2023 and June 30, 2024, shall not revert to the surplus of the general fund but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year. Virginia State University may expend any prior year end balances to support its educational and general activities or its auxiliary enterprise activities.

C. This appropriation includes \$200,000 the first year and \$200,000 the second year from the general fund to increase the number of faculty with terminal degrees to at least 85 percent of the total teaching faculty.

D. Out of this appropriation, Virginia State University is authorized to use up to \$600,000 the first year and \$600,000 the second year from the general fund to address extremely critical deferred maintenance deficiencies in its facilities, including residence halls and dining facilities.



ITEM 229.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.</p>				
<p>F. Out of this appropriation, \$1,300,000 the first year and \$1,300,000 the second year from the general fund is designated to support the Manufacturing Engineering and Logistics Technology program.</p>				
<p>G. Out of this appropriation, \$104,022 the first year from the general fund is designated for debt service costs for the fifth year payment of a five-year lease under the Master Equipment Lease Program (MELP) for upgrades to the university's police radio system.</p>				
<p>H. Out of this appropriation, \$321,757 the first year from the general fund is designated to support debt service costs for the fifth year payment of a five-year lease under the Master Equipment Lease Program (MELP) to improve the university's information technology network. In addition to these amounts, \$295,419 the first year and \$295,419 the second year from the general fund is designated to support training and software costs.</p>				
<p>I. 1. Out of this appropriation, \$480,710 the first year and \$480,710 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.</p>				
<p>2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:</p>				
<p>a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;</p>				
<p>b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);</p>				
<p>c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and</p>				
<p>d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).</p>				
<p>3. Virginia State University is expected to maintain increases in:</p>				
<p>a. Data Science and Technology awards of 5 annually over the base year.</p>				
<p>b. Science and Engineering awards of 5 annually over the base year.</p>				
<p>c. Education awards of 5 annually over the base year.</p>				
<p>d. The 2016-17 year will serve as the base year for these purposes.</p>				
<p>4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.</p>				
<p>J. Out of this appropriation, an amount estimated at \$299,286 the first year and \$299,286 the second year from the general fund and \$224,464 the first year and \$224,464 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.</p>				

ITEM 229.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>K. Out of this appropriation, \$1,000,000 each year from the general fund is designated to support affordable access for in-state undergraduate students.</p>				
230.	Higher Education Student Financial Assistance (10800).....		\$25,360,848	\$28,894,248
	Scholarships (10810).....	\$24,829,589	\$28,296,889	
	Fellowships (10820).....	\$531,259	\$597,359	
	Fund Sources: General.....	\$18,763,821	\$22,297,221	
	Higher Education Operating.....	\$6,597,027	\$6,597,027	
<p>Authority: Title 23.1, Chapter 27, Code of Virginia.</p> <p>A. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.</p> <p>B. 1. Out of this appropriation up to \$7,222,765 the first year and \$7,222,765 the second year from the general fund is provided for an affordability pilot program to offer financial assistance to Virginia students who are Pell grant eligible, meet university admissions requirements, and live within a 45 mile radius of the university. The program is designed to address regional needs relating to access and completion. Funds shall be used to provide last dollar or reduced tuition and fees to students for up to 150 percent of required credits to complete a certificate or degree. Priority shall be placed on students from Matoaca, Petersburg, and Colonial Heights high schools, and remaining funds may be used for room and board if available. It is the intention that the program may ramp up to 300 students total at any one time by fiscal year 2024. In the first and second year, in the event that financial aid remains available after recruiting new students for fall semester, the remaining financial aid may be used to fund current students who meet the criteria and/or for eligible new students that enroll in the spring semester.</p> <p>2. As part of the six-year plan process, the university shall submit an annual report of the program that includes number of students served, average financial need of students, total expenditures, average award per student, retention and completion rates, other student outcomes as defined by the university, and planned outcomes for the upcoming year.</p>				
231.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at.....		\$35,638,161	\$35,638,161
	Sponsored Programs (11004).....	\$35,638,161	\$35,638,161	
	Fund Sources: Higher Education Operating.....	\$35,638,161	\$35,638,161	
<p>Authority: Title 23.1, Chapter 27, Code of Virginia.</p>				
232.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....		\$48,215,794	\$48,215,794
	Food Services (80910).....	\$11,489,606	\$11,489,606	
	Bookstores And Other Stores (80920).....	\$1,451,001	\$1,451,001	
	Residential Services (80930).....	\$17,374,870	\$17,374,870	
	Parking And Transportation Systems And Services (80940).....	\$417,467	\$417,467	
	Student Health Services (80960).....	\$1,046,036	\$1,046,036	
	Student Unions And Recreational Facilities (80970)...	\$2,678,662	\$2,678,662	
	Other Enterprise Functions (80990).....	\$6,705,300	\$6,705,300	
	Intercollegiate Athletics (80995).....	\$7,052,852	\$7,052,852	
	Fund Sources: Higher Education Operating.....	\$37,883,249	\$37,883,249	
	Debt Service.....	\$10,332,545	\$10,332,545	
<p>Authority: Title 23.1, Chapter 27, Code of Virginia.</p>				

ITEM 232.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Total for Virginia State University.....			<b>\$211,616,737</b>	<b>\$216,290,559</b>
General Fund Positions.....	384.47	391.47		
Nongeneral Fund Positions.....	489.89	489.89		
Position Level.....	874.36	881.36		
Fund Sources: General.....	\$80,400,715	\$85,074,537		
Higher Education Operating.....	\$120,883,477	\$120,883,477		
Debt Service.....	\$10,332,545	\$10,332,545		

**Cooperative Extension and Agricultural Research Services (234)**

233.	Educational and General Programs (10000).....			\$14,390,198	\$14,390,198
	Higher Education Research (100102).....	\$6,601,489	\$6,601,489		
	Higher Education Public Services (100103).....	\$7,044,370	\$7,044,370		
	Higher Education Institutional Support (100106)....	\$77,738	\$77,738		
	Operation and Maintenance Of Plant (100107).....	\$666,601	\$666,601		
	Fund Sources: General.....	\$7,310,969	\$7,310,969		
	Higher Education Operating.....	\$7,079,229	\$7,079,229		

Authority: Title 23.1, Chapter 27, § 23.1-2704, Title 23, Chapter 13, Code of Virginia.

A. Out of this appropriation, \$392,107 the first year and \$392,107 the second year from the general fund is designated for support of research and extension activities aimed at the production of hybrid striped bass in Virginia farm ponds. No expenditures will be made from these funds for other purposes without the prior written permission of the Secretary of Education.

B. The Extension Division budgets shall include and separately account for local payments. Virginia State University, in conjunction with Virginia Polytechnic Institute and State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the Extension Division, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance and Appropriations Committees. The report shall include all expenditures from local support funds.

C. Out of this appropriation, \$394,000 the first year and \$394,000 the second year from the general fund is designated for the Small-Farmer Outreach Training and Technical Assistance Program to provide outreach and business management education to small farmers.

D. All appropriation not otherwise obligated in this Item may be used for any Extension related activities or operational expenses.

	Total for Cooperative Extension and Agricultural Research Services.....			<b>\$14,390,198</b>	<b>\$14,390,198</b>
	General Fund Positions.....	45.75	45.75		
	Nongeneral Fund Positions.....	67.00	67.00		
	Position Level.....	112.75	112.75		
	Fund Sources: General.....	\$7,310,969	\$7,310,969		
	Higher Education Operating.....	\$7,079,229	\$7,079,229		
	Grand Total for Virginia State University.....			<b>\$226,006,935</b>	<b>\$230,680,757</b>
	General Fund Positions.....	430.22	437.22		
	Nongeneral Fund Positions.....	556.89	556.89		
	Position Level.....	987.11	994.11		
	Fund Sources: General.....	\$87,711,684	\$92,385,506		
	Higher Education Operating.....	\$127,962,706	\$127,962,706		
	Debt Service.....	\$10,332,545	\$10,332,545		

ITEM 233.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<b>§ 1-65. FRONTIER CULTURE MUSEUM OF VIRGINIA (239)</b>				
234.	Museum and Cultural Services (14500).....		\$3,482,205	\$3,461,620
	Collections Management and Curatorial Services (14501).....	\$71,377		\$71,377
	Education and Extension Services (14503).....	\$1,299,759		\$1,299,759
	Operational and Support Services (14507).....	\$2,111,069		\$2,090,484
	Fund Sources: General.....	\$2,701,670		\$2,681,085
	Special.....	\$780,535		\$780,535
Authority: Title 23.1, Chapter 32, Article 2, Code of Virginia.				
A. Any revenue generated by the Frontier Culture Museum of Virginia from the development of its properties pursuant to § 23.1-3203, Code of Virginia, may be retained by the museum to support agency operations. Such revenues shall be deposited into a special fund which shall be created on the books of the State Comptroller. Amounts in this fund shall be appropriated consistent with the provisions of this act.				
B. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to the American Frontier Culture Foundation.				
	Total for Frontier Culture Museum of Virginia.....		<b>\$3,482,205</b>	<b>\$3,461,620</b>
	General Fund Positions.....	22.50		22.50
	Nongeneral Fund Positions.....	15.00		15.00
	Position Level.....	37.50		37.50
	Fund Sources: General.....	\$2,701,670		\$2,681,085
	Special.....	\$780,535		\$780,535
<b>§ 1-66. GUNSTON HALL (417)</b>				
235.	Museum and Cultural Services (14500).....		\$1,188,529	\$1,238,529
	Education and Extension Services (14503).....	\$319,202		\$369,202
	Operational and Support Services (14507).....	\$869,327		\$869,327
	Fund Sources: General.....	\$968,492		\$1,018,492
	Special.....	\$220,037		\$220,037
Authority: Title 23.1, Chapter 32, Article 3, Code of Virginia.				
	Total for Gunston Hall.....		<b>\$1,188,529</b>	<b>\$1,238,529</b>
	General Fund Positions.....	10.00		10.00
	Nongeneral Fund Positions.....	3.00		3.00
	Position Level.....	13.00		13.00
	Fund Sources: General.....	\$968,492		\$1,018,492
	Special.....	\$220,037		\$220,037
<b>§ 1-67. JAMESTOWN-YORKTOWN FOUNDATION (425)</b>				
236.	Museum and Cultural Services (14500).....		\$21,578,961	\$21,801,184
	Collections Management and Curatorial Services (14501).....	\$719,315		\$719,315
	Education and Extension Services (14503).....	\$10,197,546		\$10,094,546
	Operational and Support Services (14507).....	\$10,662,100		\$10,987,323
	Fund Sources: General.....	\$12,434,085		\$12,656,308
	Special.....	\$9,144,876		\$9,144,876

Authority: Title 23.1, Chapter 32, Article 4, Code of Virginia.

A. Out of the amounts for Operational and Support Services, the Director is authorized to

ITEM 236.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>expend from special funds amounts not to exceed \$3,500 the first year and \$3,500 the second year for entertainment expenses commonly borne by businesses. Such expenses shall be recorded separately by the agency.</p> <p>B. With the prior written approval of the Director, Department of Planning and Budget, nongeneral fund revenues which are unexpended by the end of the fiscal year may be paid to the Jamestown-Yorktown Foundation, Inc. for the specific purposes determined by the Board of Trustees in support of Foundation programs.</p> <p>C. It is the intent of the General Assembly that the Jamestown-Yorktown Foundation be authorized to fill all positions authorized in this act and all part-time (wage) positions funded in this act, notwithstanding § 4-7.01 of this act.</p> <p>D. Out of the appropriation for this Item, \$54,777 the first year from the general fund is designated for debt service costs for the fifth year payment of a five-year lease under the Master Equipment Lease Program (MELP) for the purchase of museum electronic security equipment through the state's master equipment lease program.</p>				
Total for Jamestown-Yorktown Foundation.....			\$21,578,961	\$21,801,184
General Fund Positions.....		113.00	113.00	
Nongeneral Fund Positions.....		63.00	63.00	
Position Level.....		176.00	176.00	
Fund Sources: General.....		\$12,434,085	\$12,656,308	
Special.....		\$9,144,876	\$9,144,876	

**Jamestown-Yorktown Commemorations (400)**

237.	Historic and Commemorative Attraction Management (50200).....			\$7,000,000	\$0
	Revolutionary War Commemoration (50210).....	\$7,000,000	\$0		
	Fund Sources: General.....	\$7,000,000	\$0		

A. All agencies and institutions of the Commonwealth shall, upon request, designate liaisons and provide assistance and advice to the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations for the planning, coordination, and implementation of the 250th anniversary of the American Revolution.

B. Any employees paid from this appropriation shall be exempt from the Virginia Personnel Act. Employees shall not be entitled to severance and unemployment as stipulated in hiring agreements.

C. With the prior written approval of the Governor, the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations may perform the following actions directly relating to the planning, coordination, and implementation of the 250th anniversary of the American Revolution:

1. Solicit and accept donations of materials and services to defray expenses;
2. Retain all nongeneral funds from grants, donations, contributions, gifts, fees, sales, or other funds received, collected, or undertaken by the Jamestown-Yorktown Foundation for the 250th anniversary commemoration. Such nongeneral funds shall be retained and not reverted back to the general fund at the end of any fiscal year;
3. Procure, with the maximum delegated authority available to any executive branch agency or institution in the Commonwealth, any goods and services with which there are minimum procurement requirements associated;
4. Hire employees up to the Maximum Employment Level for the Foundation as provided in the general appropriations act, despite any potential suspension on hiring that may be mandated for the state agencies;
5. Receive assistance and advice from agencies and institutions of the Commonwealth

ITEM 237.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
without charge; and				
6. Contact international, national, interstate, state, regional, and local elected and appointed officials				
D. With the prior written approval of the Governor, the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations may enter into agreements or contracts with private entities for the promotion of tourism through marketing without competitive sealed bidding or competitive negotiation provided a demonstrable cost savings, as reviewed by the Secretary of Education, can be realized by the Foundation and such agreement or contracts are based on competitive principles.				
E. Except as provided otherwise in this paragraph, the provisions of the Virginia Public Procurement Act shall not apply to the expenditure of funds from the 250th anniversary commemoration. However, the provisions of this paragraph shall not be effective until such time as the Board of Trustees of the Jamestown-Yorktown Foundation has adopted guidelines generally applicable to the procurement of goods and services by the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations. The guidelines shall implement a system of competitive negotiation for goods and services that; shall prohibit discrimination because race, religion, color, sex, age, disability, national origin, sexual orientation, gender identity, political affiliation, veteran status, or any other basis prohibited by state law relating to discrimination; may take into account in all cases the dollar amount of the intended procurement, the term of the anticipated contract, and the likely extent of competition; may implement a prequalification procedure for contractors or products; may include provisions for cooperative procurement arrangements; shall incorporate the prompt payment principles of §§ 2.2-4350 and 2.2-4354, Code of Virginia; and may implement provisions of law. The following sections of the Virginia Public Procurement Act shall continue to apply to procurement by the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations with funds from the 250th anniversary commemoration: §§ 2.2-4311, 2.2-4315, 2.2-4330, 2.2-4333 through 2.2-4338, 2.2-4340 through 2.2-4342, and 2.2-4367 through 2.2-4377, Code of Virginia.				
F. The Board of Trustees of the Jamestown-Yorktown Foundation shall establish guidelines, procedures, and objective criteria for the award and distribution of grants from the appropriation to state agencies, localities and non-government organizations. Activities eligible for grants from the appropriation shall be focused on high-impact, collaborative projects that focus on the ideals of the American Revolution. The Jamestown-Yorktown Commemorations shall advertise the availability of grant funds and shall solicit, receive, and review grant applications as defined by adopted guidelines. The decisions regarding who receives the grant awards shall be the responsibility of the Jamestown-Yorktown Commemorations.				
G. All general funds received by the Jamestown-Yorktown Commemoration shall be retained and not reverted back to the general fund at the end of any fiscal year.				
H. The provisions of this act shall expire on July 1, 2027.				
Total for Jamestown-Yorktown Commemorations.....			<b>\$7,000,000</b>	<b>\$0</b>
General Fund Positions.....	10.00	10.00		
Position Level.....	10.00	10.00		
Fund Sources: General.....	\$7,000,000	\$0		
Grand Total for Jamestown-Yorktown Foundation.....			<b>\$28,578,961</b>	<b>\$21,801,184</b>
General Fund Positions.....	123.00	123.00		
Nongeneral Fund Positions.....	63.00	63.00		
Position Level.....	186.00	186.00		
Fund Sources: General.....	\$19,434,085	\$12,656,308		
Special.....	\$9,144,876	\$9,144,876		

ITEM 238.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
238.	Archives Management (13700).....			\$7,719,522	\$7,754,857
	Management of Public Records (13701).....	\$1,236,882	\$1,236,882		
	Management of Archival Records (13702).....	\$2,388,239	\$2,417,166		
	Historical and Cultural Publications (13703).....	\$774,733	\$781,141		
	Archival Research Services (13704).....	\$1,419,861	\$1,419,861		
	Conservation-Preservation of Historic Records (13705).....	\$887,762	\$887,762		
	Circuit Court Record Preservation (13706).....	\$1,012,045	\$1,012,045		
	Fund Sources: General.....	\$3,970,955	\$4,006,290		
	Special.....	\$3,418,110	\$3,418,110		
	Federal Trust.....	\$330,457	\$330,457		

Authority: Title 42.1, Chapters 1 and 7, Code of Virginia.

A. The Librarian of Virginia shall report annually to the Secretary of Education on progress in the processing and preserving of circuit court records.

B. The Librarian of Virginia and the State Archivist shall conduct an annual study of The Library of Virginia's archival preservation needs and priorities, and shall report annually by December 1 to the Governor and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees of the General Assembly on The Library of Virginia's progress to date in reducing its archival backlog.

C. The Library of Virginia shall partner with the Offices of the Clerks of the Circuit Court to identify the challenges in restoring the many volumes of historical records treated with cellulose acetate lamination between the 1930s and the 1980s that are housed within the Circuit Court Clerks' offices across the Commonwealth. The Library will work to identify the number and current condition of these volumes and provide an estimate of costs to stabilize and preserve these volumes. The Library and the Clerks of the Circuit Court will submit a report of these findings and a proposed preservation plan by December 1, 2022, to the Governor and the General Assembly.

239.	Statewide Library Services (14200).....			\$6,994,649	\$7,019,811
	Cooperative Library Services (14201).....	\$2,651,222	\$2,651,222		
	Consultation to Libraries (14203).....	\$781,927	\$781,927		
	Research Library Services (14206).....	\$3,561,500	\$3,586,662		
	Fund Sources: General.....	\$3,504,863	\$3,530,025		
	Special.....	\$289,602	\$289,602		
	Federal Trust.....	\$3,200,184	\$3,200,184		

Authority: Title 42.1, Chapters 1 and 3, Code of Virginia.

It is the intent of the General Assembly to continue to provide electronic resources for public libraries and to provide universal access to all citizens of the Commonwealth. First priority shall be the ability to access the Internet in local public libraries.

240.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....			\$21,083,584	\$20,733,584
	State Formula Aid for Local Public Libraries (14301).....	\$21,083,584	\$20,733,584		
	Fund Sources: General.....	\$21,083,584	\$20,733,584		

Authority: Title 42.1, Chapter 3, Code of Virginia.

A. It is the objective of the Commonwealth that all local public libraries receiving state aid provide access to their patrons to worldwide electronic information on the Internet. It is the intent of the General Assembly that local public libraries receiving state aid invest in the technology necessary to provide or enhance this service.

B. Included in this appropriation is \$190,070 the first year and \$190,070 the second year from the general fund to supplement the state formula aid distribution provided in Title 42.1, Code of Virginia, for Fairfax Public Library System.

ITEM 240.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>C. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund of the total amounts for aid to libraries may be used for summer reading materials and programs or for STEAM instructional materials.</p> <p>D. Out of this appropriation, \$350,000 the first year from the general fund is designated for the Eastern Shore Regional Library and Heritage Center.</p> <p>E. It is the objective of the Commonwealth to fully fund the state formula for state aid to local libraries. The additional appropriations in the first and second years begin a four-year phase-in of full funding. It is the objective of the General Assembly to complete the phase-in in fiscal year 2026.</p>				
241.	Administrative and Support Services (19900).....		\$10,710,640	\$10,710,640
	General Management and Direction (19901).....	\$3,710,587		\$3,710,587
	Information Technology Services (19902).....	\$3,475,440		\$3,475,440
	Physical Plant Services (19915).....	\$3,524,613		\$3,524,613
	Fund Sources: General.....	\$8,625,880		\$8,625,880
	Special.....	\$1,041,670		\$1,041,670
	Federal Trust.....	\$1,043,090		\$1,043,090
<p>Authority: Title 42.1, Chapter 1, Code of Virginia.</p> <p>In the event that any budget reduction actions are required, the Director, Department of Planning and Budget, shall exclude from any reduction target calculations the rent plan included in the Library of Virginia budget.</p>				
	Total for The Library Of Virginia.....		\$46,508,395	\$46,218,892
	General Fund Positions.....	143.09		143.09
	Nongeneral Fund Positions.....	63.91		63.91
	Position Level.....	207.00		207.00
	Fund Sources: General.....	\$37,185,282		\$36,895,779
	Special.....	\$4,749,382		\$4,749,382
	Federal Trust.....	\$4,573,731		\$4,573,731

**§ 1-69. THE SCIENCE MUSEUM OF VIRGINIA (146)**

242.	Museum and Cultural Services (14500).....		\$11,842,396	\$11,842,396
	Collections Management and Curatorial Services (14501).....	\$1,748,516		\$1,748,516
	Education and Extension Services (14503).....	\$4,681,340		\$4,681,340
	Operational and Support Services (14507).....	\$5,412,540		\$5,412,540
	Fund Sources: General.....	\$6,255,446		\$6,255,446
	Special.....	\$5,336,950		\$5,336,950
	Federal Trust.....	\$250,000		\$250,000

Authority: Title 23.1, Chapter 32, Article 5, Code of Virginia.

A. This appropriation from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provisions in this act.

B. Out of this appropriation, \$351,314 the first year and \$351,314 the second year from the general fund is designated for debt service costs for payments under the Master Equipment Lease Program (MELP) for the purchase of new equipment for the Dome.

C. Out of this appropriation, \$150,000 the first year and \$150,000 the second year is provided to pilot a STEM partnership between the Science Museum of Virginia, the Virginia Air and Space Center, and the Virginia Living Museum for programs that promote achievement for K-12 students in Hampton Roads and across the state, leveraging technology in the vital STEM component of the workforce pipeline.

D. Purchase of items for resale at retail outlets and food services operations open to the public



ITEM 242.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
operated by the Science Museum of Virginia shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia. However, such purchase procedures shall provide for competition where practicable.				
Total for The Science Museum of Virginia.....			<b>\$11,842,396</b>	<b>\$11,842,396</b>
General Fund Positions.....	59.19	59.19		
Nongeneral Fund Positions.....	34.81	34.81		
Position Level.....	94.00	94.00		
Fund Sources: General.....	\$6,255,446	\$6,255,446		
Special.....	\$5,336,950	\$5,336,950		
Federal Trust.....	\$250,000	\$250,000		
<b>§ 1-70. VIRGINIA MUSEUM OF NATURAL HISTORY (942)</b>				
243. Museum and Cultural Services (14500).....			\$3,771,090	\$3,773,967
Collections Management and Curatorial Services (14501).....	\$217,157	\$218,807		
Education and Extension Services (14503).....	\$327,494	\$327,494		
Operational and Support Services (14507).....	\$2,350,013	\$2,351,240		
Scientific Research (14508).....	\$876,426	\$876,426		
Fund Sources: General.....	\$3,207,184	\$3,210,061		
Special.....	\$468,310	\$468,310		
Federal Trust.....	\$95,596	\$95,596		
Authority: Title 10.1, Chapter 20, Code of Virginia.				
Total for Virginia Museum of Natural History.....			<b>\$3,771,090</b>	<b>\$3,773,967</b>
General Fund Positions.....	40.00	41.00		
Nongeneral Fund Positions.....	9.50	9.50		
Position Level.....	49.50	50.50		
Fund Sources: General.....	\$3,207,184	\$3,210,061		
Special.....	\$468,310	\$468,310		
Federal Trust.....	\$95,596	\$95,596		
<b>§ 1-71. VIRGINIA COMMISSION FOR THE ARTS (148)</b>				
244. Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....			\$5,236,912	\$5,236,912
Financial Assistance to Cultural Organizations (14302).....	\$4,986,912	\$4,986,912		
Administration of Grants for Cultural and Artistic Affairs (14307).....	\$250,000	\$250,000		
Fund Sources: General.....	\$4,585,237	\$4,585,237		
Dedicated Special Revenue.....	\$11,000	\$11,000		
Federal Trust.....	\$640,675	\$640,675		
Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.				
A. In the allocation of grants to arts organizations, the Commission shall give preference to the performing arts.				
B. It is the objective of the Commonwealth to fund the Virginia Commission for the Arts at an amount that equals one dollar for each resident of Virginia.				
245. Museum and Cultural Services (14500).....			\$848,754	\$848,754
Operational and Support Services (14507).....	\$848,754	\$848,754		
Fund Sources: General.....	\$743,650	\$743,650		
Federal Trust.....	\$105,104	\$105,104		

ITEM 245.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.				
Total for Virginia Commission for the Arts.....			<b>\$6,085,666</b>	<b>\$6,085,666</b>
General Fund Positions.....	6.00	6.00		
Position Level.....	6.00	6.00		
Fund Sources: General.....	\$5,328,887	\$5,328,887		
Dedicated Special Revenue.....	\$11,000	\$11,000		
Federal Trust.....	\$745,779	\$745,779		

**§ 1-72. VIRGINIA MUSEUM OF FINE ARTS (238)**

246.	Museum and Cultural Services (14500).....			\$46,224,994	\$45,086,106
	Collections Management and Curatorial Services (14501).....	\$8,538,795	\$8,538,795		
	Education and Extension Services (14503).....	\$9,983,298	\$8,844,410		
	Operational and Support Services (14507).....	\$27,702,901	\$27,702,901		
	Fund Sources: General.....	\$13,333,920	\$12,195,032		
	Special.....	\$6,452,595	\$6,452,595		
	Enterprise.....	\$7,479,910	\$7,479,910		
	Dedicated Special Revenue.....	\$18,708,569	\$18,708,569		
	Federal Trust.....	\$250,000	\$250,000		

Authority: Title 23.1, Chapter 32, Article 6, Code of Virginia.

A. The appropriation in this Item from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provision of this act.

B. Nongeneral fund revenues included in this Item under Dedicated Special Revenue will be restricted for the uses specified by the donors and shall not be subject to interagency transfers or appropriation reductions.

C. The Comptroller of Virginia shall establish a special revenue account fund detail code for nongeneral funds donated to the Virginia Museum of Fine Arts by private donors and volunteers who sponsor fundraising activities to support the museum's general operations, exhibitions, and programs, and entertainment expenses commonly borne by businesses. Such expenses shall be recorded separately by the museum.

D. Out of this appropriation, \$158,513 in the first year and \$158,513 in the second year from the general fund is provided to cover the service fee in lieu of taxes levied by the City of Richmond.

E. Purchase of items for resale at retail outlets and food services operations open to the public operated by the Virginia Museum of Fine Arts shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia. However, such purchase procedures shall provide for competition where practicable.

Total for Virginia Museum of Fine Arts.....			<b>\$46,224,994</b>	<b>\$45,086,106</b>
General Fund Positions.....	141.50	141.50		
Nongeneral Fund Positions.....	212.00	212.00		
Position Level.....	353.50	353.50		
Fund Sources: General.....	\$13,333,920	\$12,195,032		
Special.....	\$6,452,595	\$6,452,595		
Enterprise.....	\$7,479,910	\$7,479,910		
Dedicated Special Revenue.....	\$18,708,569	\$18,708,569		
Federal Trust.....	\$250,000	\$250,000		

**§ 1-73. EASTERN VIRGINIA MEDICAL SCHOOL (274)**

ITEM 247.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
247.	Financial Assistance For Educational and General Services (11000).....		\$35,735,995	\$35,835,995
	\$595,612	\$595,612		
	\$35,140,383	\$35,240,383		
	\$35,735,995	\$35,835,995		
	Authority: Title 23.1, Chapter 30 and Chapter 87, Acts of Assembly of 2002.			
	A. Out of this appropriation, \$595,612 the first year and \$595,612 the second year from the general fund is designated to build research capacity in medical modeling and simulation.			
	B. Out of this appropriation, \$6,158,108 the first year and \$6,158,108 the second year from the general fund is designated for treatment, care and maintenance of indigent Virginia patients through the medical school. The aid is to be apportioned on the basis of a plan to be approved, at the beginning of each biennium, by the Director, Department of Medical Assistance Services.			
	C. Out of this appropriation, \$875,700 the first year and \$1,225,700 the second year from the general fund is designated to support financial aid for in-state medical and health professions students.			
	D. Out of this appropriation, \$658,597 the first year and \$658,597 the second year from the general fund is designated for the operation of the Family Practice Residency program and Family Practice Medical Student programs.			
	E. Out of this appropriation, \$60,620 the first year and \$60,620 the second year from the general fund is designated to support the Eastern Virginia Area Health Education Center.			
	F. Eastern Virginia Medical School shall transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to physicians affiliated with Eastern Virginia Medical School for Medicaid supplemental capitation payments to managed care organizations for the purpose of securing access to Medicaid physician's services in Eastern Virginia. The funds to be transferred must comply with 42 CFR 433.51.			
	G. Eastern Virginia Medical School is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to the primary teaching hospitals affiliated with Eastern Virginia Medical School. These Medicaid supplemental fee-for-service and/or capitation payments to managed care organizations are for the purpose of securing access to hospital services in Eastern Virginia. The funds to be transferred must comply with 42 CFR 433.51.			
	H. 1. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year from the general fund is designated to support accreditation requirements at the Eastern Virginia Medical School.			
	2. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year from the general fund is designated to support community health programs in partnership with Sentara Healthcare.			
248.	Appropriations for this agency shall be disbursed in twelve equal monthly installments each fiscal year.			
	Total for Eastern Virginia Medical School.....		\$35,735,995	\$35,835,995
	\$35,735,995	\$35,835,995		
<b>§ 1-74. NEW COLLEGE INSTITUTE (938)</b>				
249.	Administrative and Support Services (19900).....		\$5,502,527	\$4,502,527
	\$5,502,527	\$4,502,527		
	\$3,949,405	\$2,949,405		

ITEM 249.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Special.....	\$1,553,122	\$1,553,122		
Authority: Title 23.1, Chapter 31, Article 4, Code of Virginia.				
A. It is the intent of the General Assembly that the New College Institute, the Institute for Advanced Learning and Research, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education and the Department of Planning and Budget on their joint efforts in this regard.				
B. The requirements of § 4-5.05 shall not apply to this appropriation.				
C. Notwithstanding any other provision of law, New College Institute is authorized to retain the income generated by the rental of space at the Building on Baldwin in Martinsville, VA to outside entities.				
Total for New College Institute.....			\$5,502,527	\$4,502,527
General Fund Positions.....	21.00	23.00		
Nongeneral Fund Positions.....	6.00	6.00		
Position Level.....	27.00	29.00		
Fund Sources: General.....	\$3,949,405	\$2,949,405		
Special.....	\$1,553,122	\$1,553,122		

**§ 1-75. INSTITUTE FOR ADVANCED LEARNING AND RESEARCH (885)**

250.	Economic Development Services (53400).....		\$7,323,958	\$7,323,958
	Regional Research, Technology, Education, and Commercialization Services (53421).....	\$7,323,958	\$7,323,958	
	Fund Sources: General.....	\$7,323,958	\$7,323,958	

Authority: Title 23.1, Chapter 31, Article 3, Code of Virginia.

A. It is the intent of the General Assembly that the Institute for Advanced Learning and Research, the New College Institute, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education on their joint efforts in this regard.

B. The requirements of § 4-5.05 shall not apply to this appropriation.

C. This Item includes no funds for the agency's use of leased property for engagement activities.

Total for Institute for Advanced Learning and Research.....			\$7,323,958	\$7,323,958
Fund Sources: General.....	\$7,323,958	\$7,323,958		

**§ 1-76. ROANOKE HIGHER EDUCATION AUTHORITY (935)**

251.	Administrative and Support Services (19900).....		\$2,230,854	\$2,071,068
	Operation of Higher Education Centers (19931).....	\$2,230,854	\$2,071,068	
	Fund Sources: General.....	\$2,230,854	\$2,071,068	

Authority: Title 23.1, Chapter 31, Article 5, Code of Virginia.

A. The requirements of § 4-5.05 shall not apply to this appropriation.

Total for Roanoke Higher Education Authority.....			\$2,230,854	\$2,071,068
---	--	--	-------------	-------------

ITEM 251.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$2,230,854	\$2,071,068		
<b>§ 1-77. SOUTHERN VIRGINIA HIGHER EDUCATION CENTER (937)</b>				
252. Administrative and Support Services (1990).....			\$9,378,342	\$8,923,342
Operation of Higher Education Centers (19931).....	\$9,378,342	\$8,923,342		
Fund Sources: General.....	\$5,171,617	\$4,716,617		
Special.....	\$4,206,725	\$4,206,725		
Authority: Title 23.1, Chapter 31, Article 6, Code of Virginia.				
<p>A. It is the intent of the General Assembly that the Southern Virginia Higher Education Center, the Institute for Advanced Learning and Research, and the New College Institute coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education for Virginia on their joint efforts in this regard.</p>				
<p>B. Out of this appropriation, \$29,050 the first year and \$29,050 the second year from the general fund is designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and the General Assembly.</p>				
<p>C. Out of this appropriation, \$266,000 and four positions the first year and \$266,000 and four positions the second year from the general fund is designated for additional operational support of the Southern Virginia Higher Education Center and its efforts to provide STEM programs and specialized workforce training to the citizens of Southside Virginia.</p>				
<p>D. Out of this appropriation, \$731,250 and eight positions the first year and \$731,250 and eight positions the second year from the general fund and \$782,100 and 3.5 positions the first year and \$782,100 and 3.5 positions the second year from nongeneral funds are designated to maintain workforce advancement programs in the areas of health care, manufacturing, information technology, and STEM that were originally established through short-term grants in order to expand the credentials-to-career pipeline for key industry sectors in Southside Virginia.</p>				
<p>E. Out of this appropriation, \$127,055 the first year and \$127,055 the second year from the general fund is designated for debt service costs under the Master Equipment Leasing Program (MELP) for the acquisition of technical training equipment. In addition to these costs, \$394,125 and six positions the first year and \$394,125 and six positions the second year from the general fund and \$233,375 the first year and \$233,375 the second year from nongeneral funds are designated for the staff and operational costs associated with the Career Tech Academy, providing automation and robotics technical training to high school students from the counties of Charlotte, Halifax, and Mecklenburg.</p>				
<p>F. The Southern Virginia Higher Education Center is authorized to provide specialized workforce training consistent with grant agreements and memoranda of understanding with employers that existed as of January 1, 2016. The center will seek opportunities to collaborate with local community colleges in meeting the continuing goals of these programs and on new training needs identified by employers. If the local community colleges are unable to meet the training needs identified by employers, then the center is authorized to seek other education providers or to offer specialized workforce training independent of the local community colleges.</p>				
<p>G. The requirements of § 4-5.05 shall not apply to this appropriation.</p>				
Total for Southern Virginia Higher Education Center.....			\$9,378,342	\$8,923,342
General Fund Positions.....	41.80	41.80		

ITEM 252.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Nongeneral Fund Positions.....	29.50	29.50		
Position Level.....	71.30	71.30		
Fund Sources: General.....	\$5,171,617	\$4,716,617		
Special.....	\$4,206,725	\$4,206,725		

**§ 1-78. SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER (948)**

253.	Administrative and Support Services (19900).....			\$5,280,513	\$5,280,513
	General Management and Direction (19901).....	\$46,831	\$46,831		
	Operation of Higher Education Centers (19931).....	\$5,233,682	\$5,233,682		
	Fund Sources: General.....	\$4,032,768	\$4,032,768		
	Special.....	\$1,247,745	\$1,247,745		

Authority: Title 23.1, Chapter 31, Article 7, Code of Virginia.

A. The board of trustees of the Southwest Virginia Higher Education Center may establish and administer agreements with out-of-state institutions certified to operate in Virginia pursuant to § 23.1-219 Code of Virginia for such institutions to provide undergraduate-level and graduate-level instructional programs at the Center.

B. Out of the appropriation for this item, \$1,500,000 the first year and \$1,500,000 the second year from the general fund shall be deposited to the Virginia Rural Information Technology Apprenticeship Grant Fund, as established in § 23.1-3129.1 Code of Virginia, for the purpose of awarding grants on a competitive basis from the Fund to small, rural information technology businesses in qualifying localities to establish apprenticeship programs.

Total for Southwest Virginia Higher Education Center.....				<b>\$5,280,513</b>	<b>\$5,280,513</b>
General Fund Positions.....	31.00	31.00			
Nongeneral Fund Positions.....	3.00	3.00			
Position Level.....	34.00	34.00			
Fund Sources: General.....	\$4,032,768	\$4,032,768			
Special.....	\$1,247,745	\$1,247,745			

**§ 1-79. SOUTHEASTERN UNIVERSITIES RESEARCH ASSOCIATION DOING BUSINESS FOR JEFFERSON SCIENCE ASSOCIATES, LLC (936)**

254.	Financial Assistance For Educational and General Services (11000).....			\$4,547,692	\$1,547,692
	Sponsored Programs (11004).....	\$4,547,692	\$1,547,692		
	Fund Sources: General.....	\$4,547,692	\$1,547,692		

Authority: Discretionary Inclusion.

A. This appropriation represents the Commonwealth of Virginia's contribution to the Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC, for the support of the Thomas Jefferson National Accelerator Facility (Jefferson Lab) located at Newport News, Virginia. This contribution includes funds to support faculty positions and industry-led research that will promote economic development opportunities in the Commonwealth.

B. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is designated to provide funding to expand a center for nuclear femtography in partnership with the Commonwealth's research universities. Nuclear femtography is expected to be the next generation of nanotechnology.

C. Out of this appropriation, \$3,000,000 the first year from the general fund is designated to begin planning a high performance data facility project.

D. This nonstate agency is exempt from the match requirement of § 2.2-1505, Code of Virginia and § 4-5.05 of this act.

ITEM 254.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Total for Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC.....			<b>\$4,547,692</b>	<b>\$1,547,692</b>
Fund Sources: General.....	\$4,547,692	\$1,547,692		

**§ 1-80. ONLINE VIRGINIA NETWORK AUTHORITY (244)**

255.	Educational and General Programs (10000).....			\$4,000,000	\$4,000,000
	Higher Education Instruction (10001).....	\$4,000,000	\$4,000,000		
	Fund Sources: General.....	\$4,000,000	\$4,000,000		

Authority: Title 23.1, Chapter 31, Article 9, Code of Virginia.

Out of this appropriation, \$4,000,000 the first year and \$4,000,000 the second year from the general fund is designated for the Online Virginia Network Authority (OVN).

Total for Online Virginia Network Authority.....			<b>\$4,000,000</b>	<b>\$4,000,000</b>
Fund Sources: General.....	\$4,000,000	\$4,000,000		

**§ 1-81. VIRGINIA COLLEGE BUILDING AUTHORITY (941)**

256. Authority: Chapter 597, Acts of Assembly of 1986.

A.1. The purpose of this Item is to provide an ongoing program for the acquisition and replacement of instructional and research equipment at state-supported institutions of higher education in accordance with the intent and purpose of Chapter 597, Acts of Assembly of 1986.

2. The Governor shall annually present to the General Assembly through the Commonwealth's budget process, the estimated payments and the corresponding total value of equipment to be acquired.

B.1. The State Council of Higher Education for Virginia shall establish and maintain procedures through which institutions of higher education apply for allocations made available under the program, and shall develop guidelines and recommendations for the apportionment of such equipment to each state-supported institution of higher education.

2. The Authority shall finance equipment for educational institutions in accordance with § 23.1-1207, Code of Virginia, and according to terms and conditions approved through the Commonwealth's budget and appropriation process. Bonds or notes issued by the Virginia College Building Authority to finance equipment may be sold and issued at the same time with other obligations of the Authority as separate issues or as a combined issue. Each institution shall make available such additional detail on specific equipment to be purchased as may be requested by the Governor or the General Assembly. If emergency acquisitions are necessary when the General Assembly is not in session, the Governor may approve such acquisitions. The Governor shall report his approval of such acquisitions to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

3. Amounts for debt service payments for allocations provided by this Item shall be provided pursuant to Item 280 of this act.

C.1. Transfer of the appropriation in Item 280 of this act to the Virginia College Building Authority shall be subject to the approval of the Secretary of Finance. An allocation of \$173,875,000 made in the 2020-2022 biennium brings the total amount of equipment acquired through the program to approximately \$1,816,664,454.

2. Allocations of \$91,650,000 the first year and \$91,650,000 the second year will be made to support the purchase of additional equipment to enhance instructional and research activity at Virginia's public colleges and universities. Allocations are as follows:

ITEM 256.	Institution	Item Details(\$)		Appropriations(\$)		
		First Year	Second Year	First Year	Second Year	
		FY2023	FY2024	FY2023	FY2024	
	Prior Allocations	FY 2023 Allocation	FY 2024 Allocation	Research Allocation	Research Allocation	
	George Mason University	\$110,326,893	\$3,947,024	\$3,947,024	\$474,407	\$474,407
	Old Dominion University	\$120,325,673	\$5,016,192	\$5,016,192	\$329,078	\$329,078
	University of Virginia	\$323,674,592	\$10,458,476	\$10,458,476	\$12,689,341	\$12,689,341
	Virginia Commonwealth University	\$218,280,785	\$6,853,430	\$6,853,430	\$2,995,552	\$2,995,552
	Virginia Polytechnic Institute and State University	\$336,051,208	\$10,331,639	\$10,331,639	\$5,240,458	\$5,240,458
	College of William and Mary	\$61,278,424	\$2,300,493	\$2,300,493	\$595,857	\$595,857
	Christopher Newport University	\$17,896,213	\$754,464	\$754,464	\$0	\$0
	University of Virginia's College at Wise	\$7,145,495	\$250,681	\$250,681	\$0	\$0
	James Madison University	\$56,969,495	\$2,309,646	\$2,309,646	\$0	\$0
	Longwood University	\$17,860,701	\$743,433	\$743,433	\$0	\$0
	University of Mary Washington	\$19,281,906	\$655,746	\$655,746	\$0	\$0
	Norfolk State University	\$49,433,223	\$2,350,108	\$2,350,108	\$0	\$0
	Radford University	\$41,068,640	\$1,744,993	\$1,744,993	\$0	\$0
	Virginia Military Institute	\$20,798,850	\$886,084	\$886,084	\$0	\$0
	Virginia State University	\$31,515,265	\$1,342,189	\$1,342,189	\$0	\$0
	Richard Bland College	\$4,256,858	\$160,149	\$160,149	\$0	\$0
	Virginia Community College System	\$349,681,297	\$17,596,542	\$17,596,542	\$0	\$0
	Virginia Institute of Marine Science	\$11,259,144	\$362,100	\$362,100	\$175,307	\$175,307
	Virginia Cooperative Extension and Agricultural Experiment Station	\$4,000,000	\$0	\$0	\$0	\$0
	Southwest Virginia Higher Education Center	\$1,783,829	\$80,111	\$80,111	\$0	\$0
	Roanoke Higher Education Authority	\$1,460,085	\$77,623	\$77,623	\$0	\$0
	Institute for Advanced Learning and Research	\$7,113,344	\$274,172	\$274,172	\$0	\$0
	Southern Virginia Higher Education Center	\$1,007,736	\$95,790	\$95,790	\$0	\$0
	New College	\$548,194	\$34,486	\$34,486	\$0	\$0



ITEM 256.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
Institute				
Eastern Virginia	\$3,646,574	\$524,429	\$0	\$0
Medical School				
<b>TOTAL</b>	<b>\$1,816,664,424</b>	<b>\$69,150,000</b>	<b>\$22,500,000</b>	<b>\$22,500,000</b>

D. Out of the allocations for the Virginia Community College System, \$5,000,000 the first year and \$5,000,000 the second year is designated to support the equipment needs of Workforce Development activities, including those related to the New Economy Industry Credential Assistance Training Grant Program.

E. Out of the research allocations for the University of Virginia, \$7,500,000 each year is designated to support equipment needs for the Institute for Biotechnology under Item 115 of this act as well as any other research equipment needs for the University of Virginia.

Total for Virginia College Building Authority.....			<b>\$0</b>	<b>\$0</b>
--	--	--	------------	------------

TOTAL FOR OFFICE OF EDUCATION.....			<b>\$24,884,645,068</b>	<b>\$24,573,203,446</b>
------------------------------------	--	--	-------------------------	-------------------------

General Fund Positions.....	19,180.05	19,206.05		
Nongeneral Fund Positions.....	42,987.70	43,024.70		
Position Level.....	62,167.75	62,230.75		
Fund Sources: General.....	\$12,051,671,468	\$11,693,843,992		
Special.....	\$48,772,675	\$48,772,675		
Higher Education Operating.....	\$10,090,357,864	\$10,200,085,611		
Commonwealth Transportation.....	\$1,643,154	\$1,779,084		
Enterprise.....	\$7,479,910	\$7,479,910		
Trust and Agency.....	\$862,848,940	\$799,371,117		
Debt Service.....	\$363,620,626	\$363,620,626		
Dedicated Special Revenue.....	\$18,969,569	\$18,969,569		
Federal Trust.....	\$1,439,280,862	\$1,439,280,862		

ITEM 257.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

OFFICE OF FINANCE

§ 1-82. SECRETARY OF FINANCE (190)

257.	Administrative and Support Services (79900).....			\$1,229,925	\$729,925
	General Management and Direction (79901).....	\$1,229,925	\$729,925		
	Fund Sources: General.....	\$1,229,925	\$729,925		

Authority: Title 2.2, Chapter 2, Article 5; § 2.2-201, Code of Virginia.

A. The Secretary of Finance, in consultation with other affected secretaries, is hereby authorized to order the State Comptroller to transfer to the general fund a reasonable sum, as determined by the State Comptroller, from annual charges of internal service funds and enterprise funds that exceed the cost of providing services or that represent over-recoveries from the general fund.

B. The Secretary of Finance shall engage internal or third-party assistance to perform a risk assessment of executive branch agency internal controls for administering and disbursing federal pandemic relief funds, economic stimulus, or loan funds. Upon engaging internal or third-party assistance, the Secretary of Finance shall consult with the Auditor of Public Accounts and executive branch agencies conducting similar risk assessments or audits regarding the scope of work performed by the Auditor of Public Accounts and such executive branch agencies over federal funds. The Secretary of Finance shall provide oversight over any resulting contracts and compile the findings and provide a report to the Governor, the Chair of the House Appropriations Committee and the Chair of the Senate Finance and Appropriations Committee by November 1 of each year. Included in Item 486, \$600,000 of the revenues received from the federal distributions of the Coronavirus State and Local Fiscal Recovery Funds program pursuant to the American Rescue Plan Act of 2021 is provided for this purpose.

C. Out of the appropriation in this item \$500,000 in the first year from the general fund shall be used for activities related to the pursuit of grants offered by the federal Infrastructure Investment and Jobs Act. Such activities shall be in conjunction with entities identified by the Secretary of Finance including state agencies, local governments, and private sector representatives.

	Total for Secretary of Finance.....			<b>\$1,229,925</b>	<b>\$729,925</b>
	General Fund Positions.....	4.00	4.00		
	Position Level.....	4.00	4.00		
	Fund Sources: General.....	\$1,229,925	\$729,925		

§ 1-83. DEPARTMENT OF ACCOUNTS (151)

258.	Financial Systems Development and Management (72400).....			\$3,685,099	\$3,685,099
	Financial Systems Development (72401).....	\$905,441	\$905,441		
	Financial Systems Maintenance (72402).....	\$765,044	\$765,044		
	Computer Services (72404).....	\$2,014,614	\$2,014,614		
	Fund Sources: General.....	\$3,685,099	\$3,685,099		

Authority: Title 2.2, Chapter 8, Code of Virginia.

259.	Accounting Services (73700).....			\$9,790,545	\$9,790,545
	General Accounting (73701).....	\$4,373,636	\$4,373,636		
	Disbursements Review (73702).....	\$1,091,155	\$1,091,155		
	Payroll Operations (73703).....	\$1,340,350	\$1,340,350		
	Financial Reporting (73704).....	\$2,985,404	\$2,985,404		
	Fund Sources: General.....	\$8,777,021	\$8,777,021		

ITEM 259.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Special.....	\$1,013,524	\$1,013,524		

Authority: Title 2.2, Chapter 8, and § 2.2-1822, Code of Virginia.

A.1. There is hereby created on the books of the State Comptroller the Commonwealth Charge Card Rebate Fund. Rebates earned in any fiscal year on the Commonwealth's statewide charge card program shall be deposited to the Commonwealth Charge Card Rebate Fund. The cost of administration of the program as well as rebates due to political subdivisions and payments due to the federal government are hereby appropriated from the fund. All remaining rebate revenue in the fund shall be deposited to the general fund by June 30 of each year.

2. The Department of Accounts is authorized to include the administrative costs estimated at \$80,000 per year for executing entries in the Commonwealth's accounting system for Level III institutions as defined in Chapter 675, 2009 Acts of Assembly, in the program costs appropriated from the fund.

B. Notwithstanding the provisions of §§ 17.1-286 and 58.1-3176, Code of Virginia, the State Comptroller shall not make payments to the Circuit Court clerks on amounts directly deposited into the State Treasury by General District Courts, Juvenile and Domestic Relations General District Courts, Combined District Courts, and the Magistrates System. The State Comptroller shall continue to make payments, in accordance with §§ 17.1-286 and 58.1-3176, Code of Virginia, to the respective clerks on those amounts directly deposited into the state treasury by the Circuit Courts.

C.1. There is hereby created in the state treasury a special nonreverting fund that shall be known as the Federal Repayment Reserve Fund. The Fund shall be established on the books of the Comptroller and shall consist of such moneys as the State Comptroller determines will be required to repay the federal government its share of any rebates, Internal Service Fund profits, transfers to the general fund or amounts arising from other sources. Interest earned on the moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of the fiscal year shall not revert to the general fund but shall remain in the Fund. The Comptroller shall hold all moneys in this Fund until such payment is required by the federal government.

2. On an ongoing basis, agencies shall coordinate with the State Comptroller to identify amounts due to be returned to the federal government. The State Comptroller shall transfer those amounts to the Fund on or before June 30 of each year.

D. The Department of Accounts is authorized to charge employees a mandatory fee of up to 15 cents for each payroll deduction administered under the Supplemental Insurance and Annuities program. Reimbursement by the employing agency is prohibited.

260.	Service Center Administration (82600).....			\$3,550,555	\$3,656,456
	Payroll Service Bureau (82601).....	\$3,550,555	\$3,656,456		
	Fund Sources: Internal Service.....	\$3,550,555	\$3,656,456		

Authority: Title 2.2, Chapter 8, Code of Virginia.

A. The appropriation for the Payroll Service Bureau is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges for services.

B.1. The Department of Accounts shall operate the payroll service center to support the salaried and wage employees of all agencies identified by the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The payroll service center shall provide services to employees to include, but not be limited to, payroll, benefit enrollment and leave accounting. The Department of Accounts shall be responsible for all accounting reconciliations for these services; however, each employing agency shall remain fully responsible for certifying the accuracy of each payroll paid to its employees. This certification shall be in such form as the Comptroller directs.

ITEM 260.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

2.a. The Department of Accounts shall recover the cost of services provided by the payroll service center through interagency transactions as determined by the State Comptroller.

b. The Department of Accounts is authorized to charge the following rates to agencies participating in the payroll service center based on the type and number of W-2 forms processed and how each customer agency reports employee leave to the department. Prior to the implementation of Cardinal Human Capital Management (HCM), the new Payroll Service Bureau Cardinal HCM rate category shall be assigned by the Comptroller to the category that most closely coincides with the prior rate.

Criteria	FY 2023	FY 2024
Wage employees with automatic leave processing	\$130.99	\$135.32
Wage employees with manual leave processing	\$159.07	\$164.32
Salaried employees with automatic leave processing	\$140.35	\$144.98
Salaried employees with manual leave processing	\$187.13	\$193.31

C.1. The Department of Accounts shall operate a fiscal service center to support the operations of all agencies identified by the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The service center shall provide services to agencies to include accounts payable processing, travel voucher processing, related reconciliations, and such other fiscal services as may be appropriate.

2. The Department of Accounts shall recover the cost of services provided by the fiscal service center through interagency transactions as determined by the State Comptroller.

3. The Department of Accounts is authorized to charge fees of up to twenty percent of revenues generated pursuant to non-tax debt collection initiatives to pay the administrative costs of supporting such initiatives. These fees are over and above any fees charged by outside collections contractors and/or enhanced collection revenues returned to the Commonwealth.

D. Nothing in this section shall prohibit additional agencies from using the services of the centers; however, such additions shall be subject to approval by the affected cabinet secretary and the Secretary of Finance.

261. Information Systems Management and Direction (71100).....			\$49,633,077	\$53,113,626
Financial Oversight for Performance Budgeting System (71107).....	\$3,028,384	\$3,098,852		
Financial Oversight for Cardinal System (71108).....	\$46,604,693	\$50,014,774		
Fund Sources: Internal Service.....	\$49,633,077	\$53,113,626		

Authority: Title 2.2 Chapter 8, Code of Virginia

A. The appropriation for Financial Oversight for Performance Budgeting System and Financial Oversight for Cardinal System is sum sufficient and amounts shown are estimates from internal service funds for the Commonwealth's enterprise applications which shall be paid solely from revenues derived from charges for services. All users of the Commonwealth's enterprise applications shall be assessed a surcharge based on licenses, transactions, or other meaningful methodology as determined by the Secretary of Finance and the owner of the enterprise application, which shall be deposited in the fund. Additionally, the State Comptroller shall recover the cost of services provided for the administration of the fund through interagency transactions as determined by the State Comptroller.

1. Out of this appropriation, the Performance Budgeting System is appropriated \$3,028,384 the first year and \$3,098,852 the second year from internal service fund revenues.

2. Out of this appropriation, the Cardinal Financial System is appropriated \$21,912,934 the

ITEM 261.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	first year and \$25,617,973 the second year from internal service fund revenues.			
	3. Out of this appropriation, the Cardinal Human Capital Management (HCM) system is appropriated \$24,691,759 the first year and \$24,396,801 the second year from internal service fund revenues.			
	4. The State Comptroller shall submit revised projections of revenues and expenditures for the internal service funds for the Commonwealth's enterprise applications and estimates of any anticipated changes to fee schedules in accordance with § 4-5.03 of this act.			
	5. In the event that expenses of the enterprise applications become due before costs have been fully recovered in the department's internal service fund, a treasury loan shall be provided to the department to finance these costs. This treasury loan shall be repaid from the proceeds collected in the funds.			
	B.1.a. The Department of Accounts, in coordination with the Department of Human Resource Management shall replace the Commonwealth Integrated Payroll/Personnel System (CIPPS) and the Personnel Management Information System and the Benefits Eligibility System (PMIS & BES) with an integrated Human Capital Management (HCM) system. In order to maximize the efficiencies and benefits of the current Commonwealth Enterprise Resource Planning system, Cardinal, along with establishing a single source of personnel and payroll information and to achieve greater security of sensitive personally identifiable information, such system shall be based on the HCM modules within the Cardinal Enterprise Resource Planning application currently serving as the Commonwealth's financial system.			
	b. A working capital advance of up to \$142,734,000 shall be provided to the Department of Accounts to pay the costs of replacing CIPPS and PMIS & BES. This may include any costs necessary for the planning, development, configuration, and roll-out of the new HCM application, and any transitional post-production support operating costs prior to the full transition to the new system. These costs do not include costs necessary to ensure agencies are prepared for the implementation of the new application and the decommissioning of CIPPS and PMIS & BES, such as interfaces from agency based systems. An additional amount of up to \$15,000,000 may be provided to be directed toward any unforeseen costs associated with the roll-out of the statewide Cardinal HCM system.			
	2. The Secretary of Finance and Secretary of Administration shall approve the drawdowns from this working capital advance prior to the expenditure of funds. The State Comptroller shall notify the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of any approved drawdowns.			
	3. Repayment of the working capital advance and ongoing systems operation, maintenance and support costs for the statewide Human Capital Management system shall be funded through an internal service fund for the enterprise application pursuant to paragraph A. of this Item.			
	C. 1. In order to capitalize on the efficiencies and benefits of the successfully implemented Commonwealth Enterprise Resource Planning system, Cardinal, a Cardinal Governance Committee (CGC) shall be established to evaluate and recommend expansion options for the Cardinal Financials and Human Capital Management (HCM) applications. The CGC shall analyze expansion opportunities in both the financial and human resources arenas that will most benefit Commonwealth state agencies in meeting their agency missions and core objectives. Additionally, this evaluation will analyze opportunities that could possibly allow for the decommissioning of agency-based systems in favor of the Commonwealth's enterprise system to improve efficiency and cost effectiveness. Once these opportunities are evaluated and finalized, the CGC shall present recommendations to the Commonwealth's Secretary of Finance and Secretary of Administration for review. Upon their approval of any such recommendations, the Cardinal Program will have the authority to proceed with these projects, subject to available funding.			
	2. In order to support and maintain the Cardinal project initiative, a working capital advance (WCA) of up to \$12,000,000 is provided to the Cardinal program as start-up funding in anticipation of final approved funding. No funds shall be drawn and expended			

ITEM 261.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
from this WCA without the prior approval of the Secretary of Finance.				
262.	Administrative and Support Services (79900).....		\$1,595,560	\$1,595,560
	General Management and Direction (79901).....	\$1,595,560	\$1,595,560	
	Fund Sources: General.....	\$1,595,560	\$1,595,560	
Authority: Title 2.2, Chapter 8, Code of Virginia.				
As a condition of the appropriation in this Item, the department shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees the expenditure and revenue reports necessary for timely legislative oversight of state finances. The necessary reports include monthly and year-end versions and shall be provided in an interactive electronic format agreed upon by the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, or their designees, and the Comptroller. Delivery of these reports shall occur by way of electronic mail or other methods to ensure their receipt within 48 hours of their initial run after the close of the business month.				
263.	In the event of default by a unit, as defined in § 15.2-2602, Code of Virginia, on payment of principal of or interest on any of its general obligation bonded indebtedness when due, the State Comptroller, in accordance with § 15.2-2659, Code of Virginia, is hereby authorized to make such payment to the bondholder, or paying agent for the bondholder, and to recover such payment and associated costs of publication and mailing from any funds appropriated and payable by the Commonwealth to the unit for any and all purposes.			
264.	In the event of default by any employer participating in the health insurance program authorized by § 2.2-1204, Code of Virginia, in the remittance of premiums or other fees and costs of the program, the State Comptroller is hereby authorized to pay such premiums and costs and to recover such payments from any funds appropriated and payable by the Commonwealth to the employer for any purpose. The State Comptroller shall make such payments upon receipt of notice from the Director, Department of Human Resource Management, that such payments are due and unpaid from the employer.			
265.	The State Comptroller shall make calculations of payments and transfers related to interest earned on federal funds, interest receivable on state funds advanced on behalf of federal programs, and direct cost reimbursements due from the federal government pursuant to Item 279 of this act.			
	Total for Department of Accounts.....		<b>\$68,254,836</b>	<b>\$71,841,286</b>
	General Fund Positions.....	115.00	115.00	
	Nongeneral Fund Positions.....	54.00	54.00	
	Position Level.....	169.00	169.00	
	Fund Sources: General.....	\$14,057,680	\$14,057,680	
	Special.....	\$1,013,524	\$1,013,524	
	Internal Service.....	\$53,183,632	\$56,770,082	
<b>Department of Accounts Transfer Payments (162)</b>				
266.	Financial Assistance to Localities - General (72800) a sum sufficient, estimated at.....		\$585,380,000	\$585,380,000
	Distribution of Rolling Stock Taxes (72806).....	\$6,530,000	\$6,530,000	
	Distribution of Recordation Taxes (72808).....	\$20,000,000	\$20,000,000	
	Financial Assistance to Localities - Rental Vehicle Tax (72810).....	\$50,000,000	\$50,000,000	
	Distribution of Sales Tax Revenues from Certain Public Facilities (72811).....	\$2,000,000	\$2,000,000	
	Distribution of Tennessee Valley Authority Payments in Lieu of Taxes (72812).....	\$1,250,000	\$1,250,000	
	Distribution of the Virginia Communications Sales and Use Tax (72816).....	\$440,000,000	\$440,000,000	

ITEM 266.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Distribution of Payments to Localities for Enhanced Emergency Communications Services (72817).....	\$37,000,000	\$37,000,000		
Distribution of Sales Tax Revenues from Certain Tourism Projects (72819).....	\$600,000	\$600,000		
Distribution of Historic Triangle Sales Tax Collections (72820).....	\$28,000,000	\$28,000,000		
Fund Sources: General.....	\$30,380,000	\$30,380,000		
Trust and Agency.....	\$50,000,000	\$50,000,000		
Dedicated Special Revenue.....	\$505,000,000	\$505,000,000		

Authority: §§ 15.2-5914, 58.1-608.3, 58.1-662, 58.1-816, 58.1-1736, 58.1-1741, 58.1-2658.1, and 58.1-3406, Code of Virginia.

A.1. In order to carry out the provisions of § 58.1-645 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at \$440,000,000 in the first year and \$440,000,000 in the second year equal to the revenues collected pursuant to § 58.1-645 et seq., Code of Virginia, from the Virginia Communications Sales and Use Tax. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code of Virginia, and Item 286 of this act. For the purposes of the State Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the fund shall be accounted for as part of the general fund of the state treasury.

2. It is the intent of the General Assembly that all such revenues be distributed to counties, cities, and towns, the Department for the Deaf and Hard-of-Hearing, and to the Department of Taxation for the costs of administering the Virginia Communications Sales and Use Tax Fund.

B. In order to carry out the provisions of § 58.1-1734 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at \$50,000,000 in the first year and \$50,000,000 in the second year equal to the revenues collected pursuant to A. 2. of § 58.1-1736 Code of Virginia, from the Virginia Motor Vehicle Rental Tax.

C. In order to carry out the provisions of § 56-484:17 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at \$37,000,000 in the first year and \$37,000,000 in the second year equal to the revenues collected pursuant to § 56-484.17:1, Code of Virginia, from the Virginia Wireless Tax.

D. In order to carry out the provisions of Chapter 850, 2018 Acts of Assembly, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at \$28,000,000 the first year and \$28,000,000 the second year equal to the revenues collected pursuant to § 58.1-603.2, Code of Virginia, from the additional state sales and use tax in the Historic Triangle.

E.1. Out of this appropriation, amounts estimated at \$20,000,000 the first year and \$20,000,000 the second year from the general fund shall be deposited into the Hampton Roads Regional Transit Fund, as provided in § 33.2-2600.1, Code of Virginia, from revenues collected pursuant to § 58.1-816 B., Code of Virginia.

2. Notwithstanding the provisions of § 58.1-816, Code of Virginia, the appropriation in this Item for the distribution of recordation taxes is not subject to the sum sufficient provisions of this Item.

267.	Revenue Stabilization Fund (73500).....		\$1,127,733,028	\$0
	Payments to the Revenue Stabilization Fund (73501).....	\$1,127,733,028	\$0	
	Fund Sources: General.....	\$1,127,733,028	\$0	

Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia.

ITEM 267.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>A. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The auditor shall, at the same time, provide his report on the 15 percent limitation and the amount that could be paid into the fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.</p> <p>B. Out of this appropriation, \$1,127,733,028 the first year from the general fund attributable to actual tax collections for fiscal year 2021 shall be paid by the State Comptroller on or before June 30, 2023, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount is based on the certification of the Auditor of Public Accounts of actual tax revenues for fiscal year 2021. This appropriation meets the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia.</p> <p>C.1. Notwithstanding the provisions of subsection E of § 2.2-1829 and subsection F of § 2.2-1831.3, Code of Virginia, through June 30, 2024, the combined amount in the Revenue Stabilization Fund and the Revenue Reserve Fund shall not exceed 20 percent of the Commonwealth's average annual tax revenues derived from taxes on income and retail sales as certified by the Auditor of Public Accounts for the three fiscal years immediately preceding.</p> <p>2. The Secretary of Finance shall prepare a report to include recommendations for consideration of any adjustments to, or a removal of, the existing cap on the combined balance of the Revenue Stabilization Fund and the Revenue Reserve Fund, pursuant to subsection E of § 2.2-1829 and subsection F of § 2.2-1831.3, Code of Virginia, which shall be delivered to the Governor and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by September 1, 2022.</p>				
268.	Virginia Education Loan Authority Reserve Fund (73600).....		\$194,778	\$194,778
	Loan Servicing Reserve Fund (73601).....	\$94,778	\$94,778	
	Edvantage Reserve Fund (73602).....	\$100,000	\$100,000	
	Fund Sources: Trust and Agency.....	\$194,778	\$194,778	
<p>Authority: Chapter 384, Acts of Assembly of 1995; Chapter 39, Acts of Assembly of 1998.</p> <p>A. The General Assembly hereby recognizes and reaffirms the provisions of such Declarations as may have been adopted by the Virginia Education Loan Authority pursuant to Chapter 384, 1995 Acts of Assembly, and dated June 30, 1996. There is hereby appropriated from the VELA Loan Servicing Reserve Fund within the state treasury such sums as may be necessary, not to exceed \$94,778, to be paid out by the State Comptroller consistent with the provisions of the Declarations. There is hereby appropriated from the VELA Loan Servicing Reserve Fund within the state treasury such sums as may be necessary, not to exceed \$100,000, to be paid out by the State Comptroller for the purpose of determining the validity and amount of any claims against the Fund. The State Comptroller is authorized to take such actions as may be necessary to effect the provisions of this paragraph.</p> <p>B. Funds in the Edvantage Reserve Fund are hereby appropriated for disbursement by the State Comptroller, as provided for by law. All interest earned by the Edvantage Reserve Fund shall remain with the fund.</p>				
269.	Personnel Management Services (70400).....		\$31,359,934	\$31,359,934
	Employee Flexible Benefits Services (70420).....	\$31,359,934	\$31,359,934	
	Fund Sources: Trust and Agency.....	\$31,359,934	\$31,359,934	
<p>Authority: Title 2.2, Chapter 8, Code of Virginia.</p>				
270.	Financial Assistance for Health Research (40700).....		\$1,846,112	\$1,846,112
	Health Research Grant Administration Services (40701).....	\$1,846,112	\$1,846,112	
	Fund Sources: Dedicated Special Revenue.....	\$1,846,112	\$1,846,112	
<p>Authority: Title 2.2, Chapter 8, Code of Virginia.</p>				



ITEM 270.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
The Department of Accounts is authorized to disburse, as fiscal agent for the Commonwealth Health Research Board, funds received from the Virginia Retirement System pursuant to § 32.1-162.28, Code of Virginia.				
271.	Personal Property Tax Relief Program (74600).....		\$950,000,000	\$950,000,000
	Reimbursements to Localities for Personal Property Tax Relief (74601).....	\$950,000,000	\$950,000,000	
	Fund Sources: General.....	\$950,000,000	\$950,000,000	

Authority: Discretionary Inclusion.

A.1. Out of this appropriation, \$950,000,000 the first year and \$950,000,000 the second year from the general fund is provided to be used to implement a program which provides equitable tax relief from the personal property tax on vehicles.

2. The amounts appropriated in this Item provide for a local reimbursement level of 70 percent in tax years 2004 and 2005. The local reimbursement level for tax year 2006 is set at \$950,000,000 pursuant Chapter 1, 2004 Acts of Assembly, Special Session I. Payments to localities with calendar year 2006 car tax payment due dates prior to July 1, 2006, shall not be reimbursed until after July 1, 2006, except as otherwise provided in paragraph D of this Item.

B. Notwithstanding the provisions of subsection B of § 58.1-3524, Code of Virginia, as amended by Chapter 1, 2004 Acts of Assembly, Special Session I, the determination of each county's, city's and town's share of the total funds available for reimbursement for personal property tax relief pursuant to that subsection shall be pro rata based upon the actual payments to such county, city or town pursuant to Title 58.1, Chapter 35.1, Code of Virginia, for tax year 2004 as compared to the actual payments to all counties, cities and towns pursuant to that chapter for tax year 2004, made with respect to reimbursement requests submitted on or before December 31, 2005, as certified in writing by the Auditor of Public Accounts not later than March 1, 2006. Notwithstanding the provisions of the second enactment of Chapter 1, 2004 Acts of Assembly, Special Session I, this paragraph shall become effective upon the effective date of this act.

C. The requirements of subsection C 2 of § 58.1-3524 and subsection E of § 58.1-3912, Code of Virginia, as amended by Chapter 1, 2004 Acts of Assembly, Special Session I, with respect to the establishment of tax rates for qualifying vehicles and the format of tax bills shall be deemed to have been satisfied if the locality provides by ordinance or resolution, or as part of its annual budget adopted pursuant to Title 15.2, Chapter 25, Code of Virginia, or the provisions of a local government charter or Title 15.2, Chapter 4, 5, 6, 7 or 8, Code of Virginia, if applicable, specific criteria for the allocation of the Commonwealth's payments to such locality for tangible personal property tax relief among the owners of qualifying vehicles, and such locality's tax bills provide a general description of the criteria upon which relief has been allocated and set out, for each qualifying vehicle that is the subject of such bill, the specific dollar amount of relief so allocated.

D. The Secretary of Finance may authorize advance payment, from funds appropriated in this Item, of sums otherwise due a town on and after July 1, 2006, for personal property tax relief under the provisions of Chapter 1, 2004 Acts of Assembly, Special Session I, if the Secretary finds that such town (1) had a due date for tangible personal property taxes on qualified vehicles for tax year 2006 falling between January 1 and June 30, 2006, (2) had a due date for tangible personal property taxes on qualified vehicles for tax year 2004 falling between January 1 and June 30, 2004, (3) received reimbursements pursuant to the provisions of Title 58.1, Chapter 35.1, Code of Virginia, between January 1 and June 30, 2004, (4) utilizes the cash method of accounting, and (5) would suffer fiscal hardship in the absence of such advance payment.

E. It is the intention of the General Assembly that reimbursements to counties, cities and towns that had a billing date for tax year 2004 tangible personal property taxes with respect to qualifying vehicles falling between January 1 and June 30, 2004, and received personal property tax relief reimbursement with respect to tax year 2004 from the Commonwealth between January 1 and June 30, 2004, pursuant to the provisions of Title

ITEM 271.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
58.1, Chapter 35.1, Code of Virginia, as it existed prior to the amendments effected by Chapter 1, 2004 Acts of Assembly, Special Session I, be made by the Commonwealth with respect to sums attributable to such spring billing dates not later than August 15 of each fiscal year.				
Total for Department of Accounts Transfer Payments			<b>\$2,696,513,852</b>	<b>\$1,568,780,824</b>
Nongeneral Fund Positions.....	1.00	1.00		
Position Level.....	1.00	1.00		
Fund Sources: General.....	\$2,108,113,028	\$980,380,000		
Trust and Agency.....	\$81,554,712	\$81,554,712		
Dedicated Special Revenue.....	\$506,846,112	\$506,846,112		
Grand Total for Department of Accounts.....			<b>\$2,764,768,688</b>	<b>\$1,640,622,110</b>
General Fund Positions.....	115.00	115.00		
Nongeneral Fund Positions.....	55.00	55.00		
Position Level.....	170.00	170.00		
Fund Sources: General.....	\$2,122,170,708	\$994,437,680		
Special.....	\$1,013,524	\$1,013,524		
Internal Service.....	\$53,183,632	\$56,770,082		
Trust and Agency.....	\$81,554,712	\$81,554,712		
Dedicated Special Revenue.....	\$506,846,112	\$506,846,112		

**§ 1-84. DEPARTMENT OF PLANNING AND BUDGET (122)**

272.	Planning, Budgeting, and Evaluation Services (71500).....			\$8,497,158	\$8,497,158
	Budget Development and Budget Execution Services (71502).....	\$6,013,867	\$6,013,867		
	Forecasting and Regulatory Review Services (71505).....	\$1,294,871	\$1,294,871		
	Program Evaluation Services (71506).....	\$664,826	\$664,826		
	Administrative Services (71598).....	\$523,594	\$523,594		
	Fund Sources: General.....	\$8,497,158	\$8,497,158		

Authority: Title 2.2, Chapter 15, Code of Virginia.

A. The Department of Planning and Budget shall be responsible for continued development and coordination of an integrated, systematic policy analysis, planning, budgeting, performance measurement and evaluation process within state government.

B. The Department of Planning and Budget shall be responsible for the continued development and coordination of a review process for strategic plans and performance measures of the state agencies. The review process shall assess on a periodic basis the structure and content of the plans and performance measures, and the processes used to develop and implement the plans and measures with the goal of improving the efficiency and effectiveness of state government operations.

C.1. Notwithstanding § 2.2-1508, Code of Virginia, or any other provisions of law, on or before December 20, the Department of Planning and Budget shall deliver to the presiding officer of each house of the General Assembly a copy of the budget document containing the explanation of the Governor's budget recommendations. This copy may be in electronic format.

2. The Department of Planning and Budget shall include in the budget document the amount of projected spending and projected net tax-supported state debt for each year of the biennium on a per capita basis. For this purpose, "spending" is defined as total appropriations from all funds for the cited fiscal years as shown in the Budget Bill. The most current population estimates from the Weldon Cooper Center for Public Services shall be used to make the calculations.

ITEM 272.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
D. Notwithstanding any contrary provision of law, any school division may request the Department of Planning and Budget to assist in the coordination of a school efficiency review for the division. Such assistance shall be at the discretion of the Director of the Department of Planning and Budget. Each participating school division shall pay 100 percent of the cost of the review.				
Total for Department of Planning and Budget.....			\$8,497,158	\$8,497,158
General Fund Positions.....	67.00	67.00		
Nongeneral Fund Positions.....	3.00	3.00		
Position Level.....	70.00	70.00		
Fund Sources: General.....	\$8,497,158	\$8,497,158		

**§ 1-85. DEPARTMENT OF TAXATION (161)**

273.	Planning, Budgeting, and Evaluation Services (71500).....			\$4,117,772	\$4,117,772
	Tax Policy Research and Analysis (71507).....	\$2,042,991	\$2,042,991		
	Appeals and Rulings (71508).....	\$1,286,819	\$1,286,819		
	Revenue Forecasting (71509).....	\$787,962	\$787,962		
	Fund Sources: General.....	\$4,117,772	\$4,117,772		

Authority: §§ 2.2-1503, 15.2-2502, 58.1-202, 58.1-207, 58.1-210, 58.1-213, 58.1-816, and 58.1-3406, and Title 10.1, Chapter 14, Code of Virginia.

A. The Department of Taxation shall continue the staffing and responsibility for the revenue forecasting of the Commonwealth Transportation Funds, including the Department of Motor Vehicles Special Fund, as provided in § 2.2-1503, Code of Virginia. The Department of Motor Vehicles shall provide the Department of Taxation with direct access to all data records and systems required to perform this function. The Department of Planning and Budget shall effectuate the transfer of three full-time equivalent positions and sufficient funding to ensure the successful consolidation of this function.

B. Notwithstanding the provisions of § 58.1-202.2, Code of Virginia, no report on public-private partnership contracts shall be required in years following the final report upon the completion of contract or when no such contract is active.

C. The Department of Taxation shall report no later than September 1 on an annual basis, to the Chairmen of the House Appropriations, House Finance and Senate Finance and Appropriation Committees, on the amount of state sales and use tax revenues authorized to be remitted for the preceding fiscal year under the provisions of § 58.1-608.3, § 58.1-3851.1, and § 58.1-3851.2, of the Code of Virginia, as amended by the 2015 General Assembly.

D.1. The Department of Taxation shall conduct an assessment of the agency's Integrated Revenue Management System (IRMS). Specifically, the assessment shall include: an overview of IRMS and the role of each system and application; functionality requested by internal and external stakeholders, a blueprint of current functionality and gap analysis for each functional area; impact of any gaps or limitations on the agency's internal and external stakeholders; current system architecture and platform challenges and impact with the current technology state; impact of security limitations and risks; issues supporting the infrastructure including staff support; and a catalog of existing and future maintenance requirements.

2. Based on the findings from this assessment, the department shall develop guiding principles and potential options for addressing any identified shortcomings in IRMS, including but not limited to, refactoring and replacement. This portion of the assessment will address the department's goals and objectives for going forward with a potential modernization methodology and approach; benefits of modernization to the agency and stakeholders; a roadmap, and the project management and governance required to support any modernization effort.

ITEM 273.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
3. The assessment shall include a cost and benefit analysis between the current and potential future state as well as the status of integrated tax solutions in other states. The department shall report its findings to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee no later than December 16, 2022.				
274. Revenue Administration Services (73200).....			\$64,669,857	\$63,965,357
Tax Return Processing (73214).....	\$7,515,923	\$6,811,423		
Customer Services (73217).....	\$12,953,352	\$12,953,352		
Compliance Audit (73218).....	\$24,057,973	\$24,057,973		
Compliance Collections (73219).....	\$17,045,510	\$17,045,510		
Legal and Technical Services (73222).....	\$3,097,099	\$3,097,099		
Fund Sources: General.....	\$53,797,517	\$53,093,017		
Special.....	\$10,125,994	\$10,125,994		
Dedicated Special Revenue.....	\$746,346	\$746,346		

Authority: Title 3.2; Title 58.1, Code of Virginia.

A. Pursuant to § 58.1-1803, Code of Virginia, the Tax Commissioner is hereby authorized to contract with private collection agencies for the collection of delinquent accounts. The State Comptroller is hereby authorized to deposit collections from such agencies into the Contract Collector Fund (§ 58.1-1803, Code of Virginia). Revenue in the Contract Collector Fund may be used to pay private collection agencies/attorneys and perform oversight of their operations, upgrade audit and collection systems and data interfaces, and retain experts to perform analysis of receivables and collection techniques. Any balance in the fund remaining after such payment shall be deposited into the appropriate general, nongeneral, or local fund no later than June 30 of each year.

B.1. The Department of Taxation is authorized to retain, as special revenue, its reasonable share of any court fines and fees to reimburse the department for any ongoing operational collection expenses.

2. Any form of state debt assigned to the Department of Taxation for collection may be collected by the department in the same manner and means as state taxes may be collected pursuant to Title 58.1, Chapter 18, Code of Virginia.

C. The Department of Taxation is hereby appropriated revenues from the Communications Sales and Use Tax Trust Fund to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-662, Code of Virginia.

D. The Tax Commissioner shall have the authority to waive penalties and grant extensions of time to file a return or pay a tax, or both, to any class of taxpayers when the Tax Commissioner in his discretion finds that the normal due date has, or would, cause undue hardship to taxpayers who were, or would be, unable to use electronic means to file a return or pay a tax because of a power or systems failure that causes the department's electronic filing or payment systems to be nonfunctional for all or a portion of a day on or about the due date for a return or payment.

E. The Department of Taxation is hereby appropriated Land Conservation Incentive Act fees imposed under § 58.1-513 C. 2., Code of Virginia, on the transferring of the value of the donated interest. The Code of Virginia specifies such fees will be used by the Departments of Taxation and Conservation and Recreation to recover the direct cost of administration incurred in implementing the Virginia Land Conservation Act.

F. In the event that the United States Congress adopts legislation allowing local governments, with the assistance of the Commonwealth, to collect delinquent local taxes using offsets from federal income taxes, the Department of Accounts shall provide a treasury loan to the Department of Taxation to finance the costs of modifying the agency's computer systems to implement this federal debt setoff program. This treasury loan shall be repaid from the proceeds collected from the offsets of federal income taxes collected on behalf of localities by the Department of Taxation.

G. 1. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et

ITEM 274.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code of Virginia, and Items 266 and 286 of this act. For the purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.</p>				
<p>2. It is the intent of the General Assembly that all such revenues be distributed to counties, cities, and towns, the Department for the Deaf and Hard-of-Hearing, and for the costs of administering the Virginia Communications Sales and Use Tax.</p>				
<p>H. Notwithstanding the provisions of § 58.1-478, Code of Virginia, effective July 1, 2011, every employer whose average monthly liability can reasonably be expected to be \$1,000 or more and the aggregate amount required to be withheld by any employer exceeds \$500 shall file the annual report required by § 58.1-478, Code of Virginia, and all forms required by § 58.1-472, Code of Virginia, using an electronic medium using a format prescribed by the Tax Commissioner. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the employer. All requests for waiver shall be submitted to the Tax Commissioner in writing.</p>				
<p>I. Notwithstanding the provisions of § 58.1-214, Code of Virginia, the department shall not be required to mail its forms and instructions unless requested by a taxpayer or his representative.</p>				
<p>J.1. Notwithstanding the provisions of § 58.1-609.12, Code of Virginia, no report on the fiscal, economic and policy impact of the miscellaneous Retail Sales and Use Tax exemptions under § 58.1-609.10, Code of Virginia, shall be required after the completion of the final report in the first five-year cycle of the study, due December 1, 2011. The Department of Taxation shall satisfy the requirement of § 58.1-609.12 that it study and report on the annual fiscal impact of the Retail Sales and Use Tax exemptions for nonprofit entities provided for in § 58.1-609.11, Code of Virginia, by publishing such fiscal impact on its website.</p>				
<p>2. Notwithstanding the provisions of § 58.1-202, Code of Virginia, no report detailing the total amount of corporate income tax relief provided in Virginia shall be required after the completion of such report due on October 1, 2013. The Department of Taxation shall satisfy the requirement of § 58.1-202 that it issue an annual report detailing the total amount of corporate income tax relief provided in Virginia by publishing its Annual Report on its website.</p>				
<p>K. 1. Notwithstanding any provision of the Code of Virginia or this act to the contrary,</p>				
<p>a. Effective January 1, 2013, all corporations are required to file estimated tax payments and their annual income tax return and final payment using an electronic medium in a format prescribed by the Tax Commissioner .</p>				
<p>b. Effective July 1, 2013, every employer shall file the annual report required by § 58.1-478 and all forms required by § 58.1-472, Code of Virginia, using an electronic medium in a format prescribed by the Tax Commissioner.</p>				
<p>c. Effective July 1, 2014, every employer shall file the annual report required by § 58.1-478 , not later than January 31 of the calendar year succeeding the calendar year in which wages were withheld from employees.</p>				
<p>d. Effective January 1, 2015, for taxable years beginning on and after January 1, 2014, every pass-through entity shall file the annual return required by § 58.1-392, Code of Virginia, and make related payments using an electronic medium in a format prescribed by the Tax Commissioner.</p>				
<p>e. i. Effective until January 1, 2020, all estates and trusts are required to file estimated tax payments pursuant to § 58.1-490 et seq., Code of Virginia, and their annual income tax return pursuant to § 58.1-381, Code of Virginia, and final payment using an electronic medium in a format prescribed by the Tax Commissioner.</p>				
<p>ii. Effective January 1, 2020, annual income tax returns of estates and trusts required</p>				

ITEM 274.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	pursuant to § 58.1-381, Code of Virginia, that are prepared by an income tax return preparer, as defined in § 58.1-302, Code of Virginia, must be filed using an electronic medium in a format prescribed by the Tax Commissioner.			
	f. Taxpayers subject to the taxes imposed pursuant to § 58.1-320 and required to pay estimated tax pursuant to § 58.1-490 et seq., shall be required to file and remit using an electronic medium in a format prescribed by the Tax Commissioner all installment payments of estimated tax and all payments made with regard to a return or an extension of time to file if (i) any one such payment exceeds or is required to exceed \$1,500, or if (ii) the taxpayer's total tax liability exceeds or can be reasonably expected to exceed \$6,000 in any taxable year beginning on or after January 1, 2022. This requirement shall apply to any payments made on and after July 1, 2022. The Department of Taxation shall provide reasonable advanced notice to taxpayers affected by this requirement.			
	2.a. The Tax Commissioner shall have the authority to waive the requirement to file or pay by electronic means. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person required to use an electronic medium. All requests for waiver shall be submitted to the Tax Commissioner in writing.			
	b. The Tax Commissioner shall have the authority to waive the requirement to file or pay by January 31. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person required to file or pay by January 31. All requests for waiver shall be submitted to the Tax Commissioner in writing.			
	L.1. Notwithstanding any other provision of law, Retail Sales and Use Tax returns and payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the June 2012 return, due July 2012, for monthly filers and, for less frequent filers, with the first return they are required to file after July 1, 2013.			
	2. Notwithstanding any other provision of law, Out-of-State Dealer's Use Tax and Business Consumer's Use Tax returns and payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the July 2017 return, due August 2017, for monthly filers and, for less frequent filers, with the first return they are required to file after August 1, 2017.			
	3. The Tax Commissioner shall have the authority to waive the requirement to file by electronic means upon a determination that the requirement would cause an undue hardship. All requests for waiver shall be transmitted to the Tax Commissioner in writing.			
	M. The Department of Taxation is hereby appropriated revenues from the Virginia Motor Vehicle Rental Tax to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-1741, Code of Virginia.			
	N. Notwithstanding the provisions of § 58.1-490 et seq., Code of Virginia,			
	1. Effective for taxable years beginning on or after January 1, 2015, a taxpayer shall be permitted to file a declaration of estimated tax with the Department of Taxation instead of with the commissioner of the revenue and notwithstanding the provisions of § 58.1-306, Code of Virginia, the department may so advise taxpayers.			
	2. Effective January 1, 2015, every treasurer who receives an estimated income tax return, declaration or voucher pursuant to § 58.1-495 of the Code of Virginia shall transmit such return, declaration or voucher to the Department of Taxation using an electronic medium in a format prescribed by the Tax Commissioner.			
	O. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Department of Taxation is authorized to provide Form 1099 in an electronic format to taxpayers. The Tax Commissioner shall ensure that taxpayers may elect to receive the electronic version of the form.			
	P. The Department of Taxation is hereby appropriated revenues from the E-911 Wireless Tax to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 56-484.17:1, Code of Virginia.			
	Q. The Department of Taxation is hereby appropriated revenues from the assessment for			

ITEM 274.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>expenses pursuant to §§ 38.2-400 and 38.2-403, Code of Virginia, to recover any costs related to the Insurance Premiums License Tax that are incurred by the Department of Taxation, as provided in § 58.1-2533, Code of Virginia.</p>				
<p>R. The Department of Taxation is authorized to recover the administrative costs associated with debt collection initiatives under the U.S. Treasury Offset Program authorized by § 2.2-4809, not to exceed twenty percent of revenues generated pursuant to such debt collection initiatives. Such sums are in addition to any fees charged by outside collections contractors and/or enhanced collection revenues returned to the Commonwealth.</p>				
<p>S.1. Notwithstanding any other provision of the Code of Virginia or this act to the contrary, effective July 1, 2015, the Department of Taxation is hereby authorized to charge a fee of \$5.00 per copy of a tax return requested by a taxpayer or a representative thereof.</p>				
<p>2. The Tax Commissioner shall have the authority to waive such fee. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person requesting such copies. All requests for waiver shall be submitted to the Tax Commissioner in writing.</p>				
<p>T. Notwithstanding any other provision of the Code of Virginia or this act to the contrary, effective January 1, 2016, the Department of Taxation shall not provide to the local commissioners of the revenue or any other local officials copies of federal tax forms or schedules, including but not limited to, federal Schedules C (1040), C-EZ (1040), D (1040), E (1040), or F (1040), or federal Forms 4562 or 2106, or copies of Virginia Schedule 500FED, unless such schedules or forms are attached to a Virginia income tax return and submitted to the department in an electronic format by the taxpayer.</p>				
<p>U.1. Notwithstanding any other provision of law, Vending Machine Dealer's Sales Tax, Motor Vehicle Rental Tax and Fee, Communications Taxes, and Tobacco Products Tax returns shall be filed using an electronic medium prescribed by the Tax Commissioner beginning with the July 2016 return, due August 2016, for monthly filers and, for less frequent filers, with the first return they are required to file after July 1, 2016.</p>				
<p>2. Notwithstanding any other provision of law, Litter Tax returns shall be filed and any payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the first return required to be filed after January 1, 2018.</p>				
<p>3. The Tax Commissioner shall have the authority to waive the requirement to file by electronic means upon a determination that the requirement would cause an undue hardship. All requests for waiver shall be transmitted to the Tax Commissioner in writing.</p>				
<p>V.1. Notwithstanding any other provision of law, effective July 1, 2017, the Department of Taxation shall charge a fee of \$275 for each request, except those requested by the local assessing officer, for a letter ruling to be issued pursuant to § 58.1-203, Code of Virginia, or for an advisory opinion issued pursuant to §§ 58.1-3701 or 58.1-3983.1, Code of Virginia; \$50 for each request for an offer in compromise with respect to doubtful collectability authorized by § 58.1-105, Code of Virginia; and \$100 for each request for permission to change a corporation's filing method pursuant to § 58.1-442, Code of Virginia.</p>				
<p>2. The Tax Commissioner shall have the authority to waive such fees. Waivers shall be granted only if the Tax Commissioner finds that such fee creates an unreasonable burden on the person making such request. All requests for waiver shall be submitted to the Tax Commissioner in writing.</p>				
<p>3. Revenues received from the above fees shall be deposited into the general fund in the state treasury.</p>				
<p>W. Notwithstanding the provisions of § 38.2-5601, Code of Virginia, the Department of Taxation shall not be required to update the Virginia Medical Savings Account Plan report after the completion of such report due on December 31, 2016.</p>				
<p>X.1. Notwithstanding any other provision of law, any employer or payroll service provider that owns or licenses computerized data relating to income tax withheld pursuant to</p>				

ITEM 274.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Article 16 (§ 58.1-460 et seq.) of Chapter 3 of Title 58.1 shall notify the Office of the Attorney General without unreasonable delay after the discovery or notification of unauthorized access and acquisition of unencrypted and unredacted computerized data containing a taxpayer identification number in combination with the income tax withheld for that taxpayer that compromises the confidentiality of such data and that creates a reasonable belief that an unencrypted and unredacted version of such information was accessed and acquired by an unauthorized person, and causes, or the employer or payroll provider reasonably believes has caused or will cause, identity theft or other fraud. With respect to employers, this requirement applies only to information regarding the employer's employees, and does not apply to information regarding the employer's customers or other non-employees.</p> <p>Such employer or payroll service provider shall provide the Office of the Attorney General with the name and federal employer identification number of the employer as defined in § 58.1-460 that may be affected by the compromise in confidentiality. Upon receipt of such notice, the Office of the Attorney General shall notify the Department of Taxation of the compromise in confidentiality. The notification required under this provision that does not otherwise require notification under subsections A through L of § 18.2-186.6, Code of Virginia, shall not be subject to any other notification, requirement, exemption, or penalty contained in that section.</p> <p>2. Notwithstanding any other provision of law, any income tax return preparer, as defined in § 58.1-302, who prepares any Virginia individual income tax return during a calendar year for which he has the primary responsibility for the overall substantive accuracy of the preparation thereof shall notify the Department of Taxation without unreasonable delay after the discovery or notification of unauthorized access and acquisition of unencrypted and unredacted return information that compromises the confidentiality of such information and that creates a reasonable belief that an unencrypted and unredacted version of such information was accessed and acquired by an unauthorized person, and causes, or such preparer reasonably believes has caused or will cause, identity theft or other fraud.</p> <p>Such income tax return preparer shall provide the Department of Taxation with the name and taxpayer identifying number of any taxpayer that may be affected by the compromise in confidentiality, as well as the name of the income tax return preparer, his preparer tax identification number, and such other information as the Department may prescribe.</p> <p>Y.1. Every payment settlement entity required to file information returns under § 6050W of the Internal Revenue Code shall, within thirty days of the relevant federal deadline for filing such returns, submit to the Department of Taxation electronically either (i) a duplicate of all such information returns or (ii) a duplicate of such information returns related to participating payees with a Virginia state address or Virginia state taxpayers.</p> <p>2. All third-party settlement organizations, as defined in § 6050W of the Internal Revenue Code, shall report to the Department of Taxation electronically, and to any participating payee, within 30 days of the relevant federal deadline for reporting such information, all information specified by § 6050W of the Internal Revenue Code with respect to reportable payment transactions made on or after January 1, 2020 to such participating payee. For purposes of determining whether a third-party settlement organization is subject to this requirement, the de minimis limitations of § 6041(a) of the Internal Revenue Code shall apply mutatis mutandis in lieu of the de minimis limitations of § 6050W of the Internal Revenue Code. This requirement shall apply only with respect to participating payees with a Virginia mailing address.</p> <p>3. The Tax Commissioner shall have the authority to waive the requirement to submit this information upon a determination that the requirement would cause an unreasonable burden. In addition, the Tax Commissioner shall have the authority to waive the requirement to submit this information electronically upon a determination that the requirement would cause an unreasonable burden. All requests for waiver shall be transmitted to the Tax Commissioner in writing.</p> <p>Z. The Department of Taxation is hereby appropriated revenues from the Disposable Plastic Bag Tax to recover any administrative costs for collecting the tax incurred by the Department of Taxation as provided by § 58.1-3835 (C), Code of Virginia.</p>				



ITEM 274.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>AA. The Department of Taxation is hereby appropriated revenues from the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia to recover any administrative costs for implementing the tax on heated tobacco products incurred by the Department of Taxation as provided by Item 3-5.21(D) of this Act.</p> <p>BB.1. Notwithstanding § 58.1-1803 A, or any other provision of law, the Department of Taxation may appoint a collector in any county or city, including the treasurer thereof, to collect delinquent state taxes at any time, even if such delinquent state taxes were not assessed at least 90 days previously therein.</p> <p>2. Notwithstanding § 58.1-1803 B, or any other provision of law, the Department of Taxation may appoint collectors or contract with collection agencies to collect delinquent state taxes at any time, even if such delinquent state taxes were not assessed at least 90 days previously therein.</p>				
275.	Tax Value Assistance to Localities (73400).....		\$2,281,486	\$2,281,486
	Training for Local Assessors (73401).....	\$160,394		\$160,394
	Valuation and Assessment Assistance for Localities (73410).....	\$2,121,092		\$2,121,092
	Fund Sources: General.....	\$796,193		\$796,193
	Special.....	\$1,485,293		\$1,485,293
<p>Authority: Title 58.1, Chapters 32, 34, 35, 36, and 39 and §§ 58.1-202, subdivisions 6, 10, and 11, 58.1-206; §§ 58.1-2655, 58.1-3239, 58.1-3278, and 58.1-3374, Code of Virginia.</p> <p>A. The department is hereby authorized to recover from participating localities, as special funds, the direct costs associated with assessor/property tax and local valuation and assessments training classes. In accordance with § 58.1-206, Code of Virginia, the assessing officers and board members attending shall continue to be reimbursed for the actual expenses incurred by their attendance at the programs.</p> <p>B. In the expenditure of funds out of its appropriations for determination of true values of locally taxable real estate for use by the Board of Education in state school fund distributions, the Department of Taxation shall use a sufficiently representative sampling of parcels, in accordance with the classification system as established in § 58.1-208, Code of Virginia, to reflect actual true values; further, the department shall, upon request of any local school board, review its initial determination and promptly inform the Board of Education of corrections in such determination.</p> <p>C. Notwithstanding any other provision of law, the requirement that the Department of Taxation print and distribute local tax forms, instructions, and property tax books shall be satisfied by the posting of such documents on the department's web site.</p> <p>D.1. The Department of Taxation shall study and develop a proposal to require that all individuals who conduct local property tax assessments receive state certification and ongoing recertification to ensure more effective, consistent, and equitable assessments across all jurisdictions in the Commonwealth.</p> <p>2. In conducting its study, the Department shall consult with the Virginia Association of Assessing Officers, the Commissioners of the Revenue Association, the Virginia Municipal League, and the Virginia Association of Counties.</p> <p>3. The Department shall report its findings to the Governor and the Chairs of the House Committee on Finance and the Senate Finance and Appropriations Committee by November 1, 2022.</p>				
276.	Administrative and Support Services (79900).....		\$51,677,147	\$51,062,880
	General Management and Direction (79901).....	\$29,827,003		\$29,212,736
	Information Technology Services (79902).....	\$21,850,144		\$21,850,144
	Fund Sources: General.....	\$51,523,693		\$50,909,426
	Special.....	\$153,454		\$153,454
<p>Authority: §§ 58.1-200, 58.1-202, and 58.1-213, Code of Virginia.</p>				

ITEM 276.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>A. To defray the costs of administration for voluntary contributions made on individual income tax returns for taxable years beginning on or after January 1, 2003, the Department of Taxation may retain up to five percent of the contributions made to each organization, not to exceed a total of \$50,000 from all organizations in any taxable year.</p> <p>B. The Department is hereby authorized to request and receive a treasury loan to fund the necessary start-up costs associated with the implementation of a sales and use tax modification or other state or local tax imposed pursuant to Chapter 766, 2013 Acts of Assembly. The treasury loan shall be repaid for these costs from the tax revenues. The Department shall also retain sufficient revenues to recover its costs incurred administering these taxes.</p> <p>C. Notwithstanding the provisions of §§ 2.2-507 and 2.2-510, when the Tax Commissioner determines that an issue may have a major impact on tax policies, revenues or expenditures, he may request that the Attorney General appoint special counsel to render such assistance or representation as needed. The compensation for such special counsel shall be paid out of the funds appropriated for the administration of the Department of Taxation.</p> <p>D. The Department of Taxation is required to provide, at the beginning of an audit, detailed information on the audit process and tax policies that are being examined. Furthermore, the Department shall compile and make available on their website a list of common issues which are identified in a large number of audits.</p>				
Total for Department of Taxation.....			<b>\$122,746,262</b>	<b>\$121,427,495</b>
General Fund Positions.....		907.00	907.00	
Nongeneral Fund Positions.....		56.00	56.00	
Position Level.....		963.00	963.00	
Fund Sources: General.....		\$110,235,175	\$108,916,408	
Special.....		\$11,764,741	\$11,764,741	
Dedicated Special Revenue.....		\$746,346	\$746,346	

**§ 1-86. DEPARTMENT OF THE TREASURY (152)**

277.	Investment, Trust, and Insurance Services (72500).....			\$54,851,592	\$48,336,155
	Debt Management (72501).....	\$1,205,383	\$1,205,383		
	Insurance Services (72502).....	\$49,014,108	\$42,485,301		
	Banking and Investment Services (72503).....	\$4,632,101	\$4,645,471		
	Fund Sources: General.....	\$10,387,709	\$3,847,185		
	Special.....	\$126,365	\$126,365		
	Commonwealth Transportation.....	\$185,187	\$185,187		
	Trust and Agency.....	\$44,152,331	\$44,177,418		

Authority: Title 2.2, Chapter 18, Code of Virginia.

A. The Department of the Treasury shall take into account the claims experience of each agency and institution when setting premiums for the general liability program.

B. Coverage provided by the VARISK plan for constitutional officers shall be extended to any action filed against a constitutional officer or appointee of a constitutional officer before the Equal Employment Opportunity Commission or the Virginia State Bar.

C. Notwithstanding the provisions of § 33.2-1919 and § 33.2-1927, Code of Virginia, the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission are authorized to obtain liability policies for the Commissions' joint project, the Virginia Railway Express, consisting of liability insurance and a program of self-insurance maintained by the Commissions and administered by the Department of the Treasury's Division of Risk Management or by an independent third party selected by the Commissions, which liability policies shall be deemed to meet the requirements of § 8.01-195.3, Code of Virginia. In addition, the Director of the Department of Rail and Public Transportation is authorized to work with the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission to obtain the foregoing liability

ITEM 277.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>policies for the Commissions. In obtaining liability policies, the Director of the Department of Rail and Public Transportation shall advise the Commissions regarding compliance with all applicable public procurement and administrative guidelines.</p> <p>D. By January 15 of each year the Department of the Treasury shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, in a unified report mutually agreeable to them, summarizing changes in required debt service payments from the general fund as the result of any refinancing, refunding, or issuance actions taken or expected to be taken by the Commonwealth within the next twelve months.</p> <p>E. The Virginia Public School Authority shall transfer to the Department of the Treasury each year an amount necessary to recover the direct cost incurred by the department in the administration of the Virginia Public School Authority programs.</p> <p>F. The Department of the Treasury shall provide to the State Compensation Board the premiums, by local constitutional office and individual regional jail, required to fund the Constitutional Officer and Regional Jail Fund of the State Insurance Reserve Trust Fund. The premiums provided to the Department of the Treasury by the actuary shall be calculated using factors such as claims experience by local constitutional office and individual regional jail, each local constitutional office and individual regional jail's total number of positions, and local and regional jail average daily populations.</p> <p>G. Notwithstanding §2.2-1836, Code of Virginia the Department of the Treasury, Division of Risk Management is authorized to initiate Cyber coverage for state agencies under the Property Plan after July 1, 2020.</p> <p>H. Out of the amounts for this item shall be paid \$1,076,115 the first year from the general fund for the relief of Mr. Lamar Barnes pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, \$15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.</p> <p>I. Out of the amounts for this item shall be paid \$1,483,342 the first year from the general fund as a lump sum for the relief of Mr. Joseph Carter pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, \$15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.</p> <p>J. Out of the amounts for this item shall be paid \$289,068 the first year from the general fund as a lump sum for the relief of Mr. Paul Jonas Crum, Jr. pursuant to § 8.01-195.11 of the Code of Virginia.</p> <p>K. Out of the amounts for this item shall be paid \$1,247,973 the first year from the general fund for the relief of Mr. Bobbie James Morman, Jr. pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, \$15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.</p> <p>L. Out of the amounts for this item shall be paid \$1,699,274 the first year from the general fund as a lump sum for the relief of Mr. Emerson Eugene Stevens pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, \$15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.</p> <p>M. Out of the amounts for this item shall be paid \$408,205 the first year from the general fund for the relief of Mr. Jervon Tillman pursuant to § 8.01-195.11 of the Code of Virginia. Of this amount, \$15,000 shall be deducted from this award total and repaid to the Criminal Fund under the provisions provided in subsection C. of § 8.01-195.11 of the Code of Virginia.</p> <p>N. Out of the amounts for this item shall be paid \$343,232 the first year from the general fund for the relief of Mr. Eric Weakley pursuant to § 8.01-195.11 of the Code of Virginia.</p>				
278.	Revenue Administration Services (73200).....		\$15,742,470	\$14,931,551

ITEM 278.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Unclaimed Property Administration (73207).....	\$7,654,876	\$7,654,876		
Accounting and Trust Services (73213).....	\$2,018,552	\$2,057,633		
Check Processing and Bank Reconciliation (73216)...	\$3,251,610	\$2,401,610		
Administrative Services (73220).....	\$2,817,432	\$2,817,432		
Fund Sources: General.....	\$5,131,214	\$4,320,295		
Special.....	\$426,581	\$426,581		
Trust and Agency.....	\$9,535,311	\$9,535,311		
Dedicated Special Revenue.....	\$649,364	\$649,364		

Authority: Title 2.2, Chapter 18 and Title 55.1, Chapter 25, Code of Virginia.

A. Included in this Item is a sum sufficient nongeneral fund appropriation for personal services and other operating expenses to process checks issued by the Department of Social Services. The estimated cost, excluding actual postage costs, is \$89,000 the first year and \$89,000 the second year.

B. Included in this Item is a sum sufficient nongeneral fund appropriation for administrative expenses to process the Virginia Employment Commission (VEC) and Virginia Retirement System (VRS) checks. The estimated cost for VEC is \$5,500 the first year and \$5,500 the second year, and for VRS is \$25,500 the first year and \$25,500 the second year.

C.1. The amounts for Unclaimed Property Administration are for administrative and related support costs of the Uniform Disposition of Unclaimed Property Act, to be paid solely from revenues derived pursuant to the act.

2. The amounts also include a sum sufficient nongeneral fund amount estimated at \$2,000,000 the first year and \$2,000,000 the second year to pay fees for compliance services and securities portfolio custody services for unclaimed property administration.

3. Any revenue derived from the sale of the Department of the Treasury's new unclaimed property system is hereby appropriated to the department for use in unclaimed property customer service and system enhancements.

4. Notwithstanding § 55.1-2525.C of the Uniform Disposition of Unclaimed Property Act, the State Treasurer is not required to publish any item of less than \$250.

D. The State Treasurer is authorized to charge institutions of higher education participating in the private college financing 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. Revenue collected from this administrative fee shall be deposited to a special fund in the Department of the Treasury to compensate the department for direct and indirect staff time and expenses involved with this program.

E. The State Treasurer is authorized to sell any securities remitted as unclaimed demutualization proceeds of insurance companies at any time after delivery, pursuant to legislation enacted by the 2003 Session of the General Assembly. The funds derived from the sale of said securities shall be handled in accordance with § 55.1-2531, Code of Virginia.

F.1. The State Treasurer is authorized to charge qualified public depositories holding public deposits, as defined in § 2.2-4401, Code of Virginia, an annual administrative fee of not more than one-half of one basis point of their average public deposit balances over a twelve month period. The State Treasurer shall issue guidelines to effect the implementation of this fee. However, the total fees collected from all qualified depositories shall not exceed \$200,000 in any one year.

2. Any regulations or guidelines necessary to implement or change the amount of the fee may be adopted without complying with the Administrative Process Act (§ 2.2-4000 et seq.) provided that input is solicited from qualified public depositories. Such input requires only that notice and an opportunity to submit written comments be given.

G. The State Treasurer shall work with universities and community colleges to develop policies and procedures which minimize the use of paper checks when issuing any reimbursements of student loan balances. These efforts should include reimbursement through

ITEM 278.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

debit cards, direct deposits, or other electronic means.

H. The Virginia Public School Authority shall transfer to the Department of the Treasury each year an amount necessary to recover the direct cost incurred by the department in the accounting and financial reporting of the Virginia Public School Authority programs.

279. 1. There is hereby appropriated to the Department of the Treasury a sum sufficient for the transfer to the federal government, in accordance with the provisions of the federal Cash Management Improvement Act of 1990 and related federal regulations, of the interest owed by the state on federal funds advanced to the state for federal assistance programs, where such funds are held by the state from the time they are deposited in the state's bank account until they are paid out to redeem warrants, checks or payments by other means. This sum sufficient appropriation is funded from the interest earned on federal funds deposited and invested by the state. The actual amount for transfer shall be established by the State Comptroller.

2. When permitted by applicable federal laws or administrative regulations, the State Comptroller shall first offset and reduce the amount to be transferred by any and all amounts of interest payments calculated to be received by the state from the federal government, where such payments are due to the state because the state was required to disburse its own funds for federal program purposes prior to the receipt of federal funds.

3. Should the interest payments calculated to be made by the federal government to the state exceed the interest calculated to be transferred from the state to the federal government, reduced by the federally approved direct cost reimbursement to the state, the State Comptroller shall then notify the federal government of the net amount of interest due to the state and shall record such net interest, upon its receipt, as interest revenue earned by the general fund.

Total for Department of the Treasury.....			<b>\$70,594,062</b>	<b>\$63,267,706</b>
General Fund Positions.....	32.70	32.70		
Nongeneral Fund Positions.....	94.30	94.30		
Position Level.....	127.00	127.00		
Fund Sources: General.....	\$15,518,923	\$8,167,480		
Special.....	\$552,946	\$552,946		
Commonwealth Transportation.....	\$185,187	\$185,187		
Trust and Agency.....	\$53,687,642	\$53,712,729		
Dedicated Special Revenue.....	\$649,364	\$649,364		

**§ 1-87. TREASURY BOARD (155)**

280. Bond and Loan Retirement and Redemption (74300).....			\$991,805,056	\$1,031,659,380
Debt Service Payments on General Obligation Bonds (74301).....	\$56,028,916	\$51,320,292		
Debt Service Payments on Public Building Authority Bonds (74303).....	\$370,973,321	\$377,655,887		
Debt Service Payments on College Building Authority Bonds (74304).....	\$564,802,819	\$602,683,201		
Fund Sources: General.....	\$954,233,341	\$994,591,558		
Higher Education Operating.....	\$31,526,576	\$31,526,576		
Dedicated Special Revenue.....	\$645,000	\$645,000		
Federal Trust.....	\$5,400,139	\$4,896,246		

Authority: Title 2.2, Chapter 18, Code of Virginia; Article X, Section 9, Constitution of Virginia.

A. The Director, Department of Planning and Budget is authorized to transfer appropriations between Items in the Treasury Board to address legislation affecting the Treasury Board passed by the General Assembly.

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the following amounts are hereby appropriated from the general fund for debt service on general obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of Virginia:

Series	FY 2023		FY 2024	
	General Fund	Federal Funds	General Fund	Federal Funds
2012 Refunding	\$17,767,000	\$0	\$14,463,750	\$0
2013 Refunding	\$19,501,000	\$0	\$18,774,000	\$0
2015B Refunding	\$12,230,750	\$0	\$11,786,000	\$0
2016B Refunding	\$5,161,450	\$0	\$5,000,450	\$0
2019C Refunding	\$1,268,716	\$0	\$1,196,092	\$0
Projected debt service & expenses	\$100,000	\$0	\$100,000	\$0
<b>Total Service Area</b>	<b>\$56,028,916</b>	<b>\$0</b>	<b>\$51,320,292</b>	<b>\$0</b>

2. Out of the amounts for Debt Service Payments on General Obligation Bonds, sums needed to fund issuance costs and other expenses are hereby appropriated.

C.1. Out of the amounts for Debt Service Payments on Virginia Public Building Authority Bonds shall be paid to the Virginia Public Building Authority the following amounts for use by the authority for its various bond issues:

Series	FY 2023		FY 2024	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
2010B	\$23,922,713	\$2,696,461	\$19,842,211	\$2,459,268
2012A Refunding	\$16,553,925	\$0	\$10,520,650	\$0
2013A	\$8,823,400	\$0	\$8,825,750	\$0
2013B Refunding	\$17,247,625	\$0	\$12,228,250	\$0
2014A	\$8,481,150	\$645,000	\$8,480,275	\$645,000
2014B	\$2,013,408	\$0	\$2,012,761	\$0
2014C Refunding	\$17,370,525	\$0	\$22,389,650	\$0
2015A	\$17,342,870	\$0	\$17,343,745	\$0
2015B Refunding	\$11,268,775	\$0	\$11,264,525	\$0
2016A	\$14,387,675	\$0	\$14,384,800	\$0
2016B Refunding	\$17,811,525	\$0	\$32,051,025	\$0
2016C	\$11,655,625	\$0	\$11,656,125	\$0
2016D	\$906,532	\$0	\$904,132	\$0
2017A Refunding	\$19,100,475	\$0	\$6,088,100	\$0
2018A	\$11,748,844	\$0	\$11,747,344	\$0
2018B	\$1,233,290	\$0	\$1,230,990	\$0
2019A	\$13,437,750	\$0	\$13,437,625	\$0
2019B	\$10,155,400	\$0	\$10,157,150	\$0
2019C	\$5,326,052	\$0	\$5,197,302	\$0
2020A	\$15,723,325	\$0	\$15,723,825	\$0
2020B Refunding	\$26,566,625	\$0	\$33,499,500	\$0
2020C	\$6,621,668	\$0	\$6,618,510	\$0
2021A	\$38,485,750	\$0	\$38,486,250	\$0
2021B Refunding	\$1,183,232	\$0	\$1,185,309	\$0
Projected debt service and expenses	\$19,263,701	\$0	\$59,275,815	\$0
<b>Total Service Area</b>	<b>\$336,631,860</b>	<b>\$3,341,461</b>	<b>\$374,551,619</b>	<b>\$3,104,268</b>

b. Out of this appropriation and in conjunction with any proposed disposition or transfer of the Eastern Shore Farmers Market, including the Market Office Building at 18491 Garey

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

Road and the Produce Warehouse at 18513 Garey Road, Melfa, Virginia 23410, and the Seafood Market Building located at 18555 Garey Road, Melfa, Virginia 23410, by the Virginia Department of Agriculture and Consumer Services as set forth in § 3-1.01 II, up to \$6,000,000 the first year and \$0 the second year from the general fund is provided for remediation available under federal law in order to maintain tax-advantaged status on bonds that financed the construction, improvement and equipping of such facilities.

2.a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of the approved capital costs as determined by the State Board of Local and Regional Jails and other interest costs as provided in §§ 53.1-80 through 53.1-82.2 of the Code of Virginia, for the following:

Project	Commonwealth Share of Approved Capital Costs
Prince William - Manassas Regional Jail	\$21,032,421
Middle River Regional Jail - Expansion and Renovation	\$24,125,430
Henry County Jail	\$18,759,878
Prince William - Manassas Regional Jail Expansion	\$678,387
Riverside Regional Jail	\$807,447
Fairfax County Adult Detention Center - Security and Mechanical Upgrades	\$14,479,670
<b>Total Approved Capital Costs</b>	<b>\$79,883,233</b>

b. The Commonwealth's share of the total construction cost of the projects listed in the table in paragraph C.2.a. shall not exceed the amount listed for each project. Reimbursement of the Commonwealth's portion of the construction costs of these projects shall be subject to the approval of the Department of Corrections of the final expenditures.

c. This paragraph shall constitute the authority for the Virginia Public Building Authority to issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia.

D.1. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for use by the Authority for payments on obligations issued for financing authorized projects under the 21st Century College Program:

Series	FY 2023	FY 2024
2009E Refunding	\$26,968,250	\$18,611,250
2010B	\$26,774,791	\$26,507,791
2012B	\$399,100	\$399,100
2013 A	\$13,340,250	\$0
2014A	\$15,938,850	\$15,935,600
2014B Refunding	\$195,400	\$195,400
2015A	\$24,058,450	\$13,643,950
2015B Refunding	\$27,425,391	\$27,424,266
2015D	\$16,311,785	\$26,726,035
2016A	\$19,476,100	\$19,475,850
2016B Refunding	\$1,972,000	\$1,972,000
2016C	\$4,428,901	\$4,430,471
2017B Refunding	\$22,352,250	\$23,841,000
2017C	\$31,464,000	\$31,465,750
2017D	\$11,318,456	\$11,317,964
2017E Refunding	\$54,799,500	\$67,187,000
2019A	\$31,124,100	\$31,124,850
2019B	\$9,982,750	\$9,986,250
2019C Refunding	\$29,062,500	\$29,064,000
2020A & B	\$22,690,545	\$22,689,935

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
2020B Refunding	\$7,867,830			\$7,868,280
2021A	\$32,911,050			\$32,914,050
Projected 21st Century debt service & expenses	\$44,114,110			\$87,830,508
<b>Subtotal 21st Century</b>	<b>\$474,976,358</b>			<b>\$510,611,299</b>

2. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for the payment of debt service on authorized bond issues to finance equipment:

Series	FY 2023	FY 2024
2016A	\$11,067,000	\$0
2017A	\$14,939,000	\$14,941,500
2018A	\$12,866,750	\$12,866,000
2019A	\$12,568,750	\$12,571,750
2020A	\$12,061,250	\$12,063,750
2021A	\$12,516,000	\$12,514,000
Projected debt service & expenses	\$13,807,710	\$27,114,901
Subtotal Equipment	\$89,826,460	\$92,071,901
<b>Total Service Area</b>	<b>\$564,802,818</b>	<b>\$602,683,200</b>

3. Beginning with the FY 2008 allocation of the higher education equipment trust fund, the Treasury Board shall amortize equipment purchases at seven years, which is consistent with the useful life of the equipment.

4. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds, the following nongeneral fund amounts from a capital fee charged to out-of-state students at institutions of higher education shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the 21st Century Program:

Institution	FY 2023	FY 2024
George Mason University	\$2,804,490	\$2,804,490
Old Dominion University	\$1,108,899	\$1,108,899
University of Virginia	\$5,006,754	\$5,006,754
Virginia Polytechnic Institute and State University	\$5,192,295	\$5,192,295
Virginia Commonwealth University	\$2,359,266	\$2,359,266
College of William and Mary	\$1,639,845	\$1,639,845
Christopher Newport University	\$131,508	\$131,508
University of Virginia's College at Wise	\$48,330	\$48,330
James Madison University	\$2,843,787	\$2,843,787
Norfolk State University	\$420,789	\$420,789
Longwood University	\$106,149	\$106,149
University of Mary Washington	\$234,834	\$234,834
Radford University	\$300,486	\$300,486
Virginia Military Institute	\$400,470	\$400,470
Virginia State University	\$773,577	\$773,577
Richard Bland College	\$10,830	\$10,830
Virginia Community College System	\$3,301,665	\$3,301,665
<b>TOTAL</b>	<b>\$26,683,974</b>	<b>\$26,683,974</b>

5. Out of the amounts for Debt Service Payments of College Building Authority Bonds, the following is the estimated general and nongeneral fund breakdown of each institution's share of the debt service on the Virginia College Building Authority bond issues to finance equipment. The nongeneral fund amounts shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the equipment program:



ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	FY 2023		FY 2024	
Institution	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
College of William & Mary	\$3,521,190	\$259,307	\$3,991,903	\$259,307
University of Virginia	\$14,736,611	\$1,088,024	\$16,021,183	\$1,088,024
Virginia Polytechnic Institute and State University	\$16,492,798	\$992,321	\$16,776,273	\$992,321
Virginia Military Institute	\$879,579	\$88,844	\$894,058	\$88,844
Virginia State University	\$1,357,553	\$108,886	\$1,379,234	\$108,886
Norfolk State University	\$1,518,993	\$108,554	\$1,672,023	\$108,554
Longwood University	\$740,819	\$54,746	\$756,993	\$54,746
University of Mary Washington	\$1,514,252	\$97,063	\$1,744,813	\$97,063
James Madison University	\$2,449,435	\$254,504	\$2,779,889	\$254,504
Radford University	\$986,8077	\$135,235	\$992,742	\$135,235
Old Dominion University	\$3,739,565	\$374,473	\$3,296,742	\$374,473
Virginia Commonwealth University	\$9,556,313	\$401,647	\$9,437,485	\$401,647
Richard Bland College	\$172,947	\$2,027	\$185,534	\$2,027
Christopher Newport University	\$860,248	\$17,899	\$818,586	\$17,899
University of Virginia's College at Wise	\$248,072	\$19,750	\$263,446	\$19,750
George Mason University	\$4,632,155	\$205,665	\$4,638,315	\$205,665
Virginia Community College System	\$19,875,309	\$633,657	\$19,776,368	\$633,657
Virginia Institute of Marine Science	\$588,799	\$0	\$597,435	\$0
Roanoke Higher Education Authority	\$84,809	\$0	\$86,063	\$0
Southwest Virginia Higher Education Center	\$87,527	\$0	\$88,821	\$0
Institute for Advanced Learning and Research	\$299,553	\$0	\$303,982	\$0
Southern Virginia Higher Education Center	\$104,658	\$0	\$107,326	\$0
New College Institute	\$35,745	\$0	\$38,640	\$0
Eastern Virginia Medical School	\$500,126	\$0	\$581,448	\$0
<b>TOTAL</b>	<b>\$84,983,859</b>	<b>\$4,842,602</b>	<b>\$87,229,300</b>	<b>\$4,842,602</b>

E. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on Commonwealth Transportation Board bonds shall be paid to the Trustee for the bondholders by the Treasury Board after transfer of these funds to the Treasury Board

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	from the Commonwealth Transportation Board pursuant to Item 457, paragraph E of this act and §§ 33.2-2300, 33.2-2400, and 58.1-816.1, Code of Virginia.			
	F. Under the authority of this act, an agency may transfer funds to the Treasury Board for use as lease, rental, or debt service payments to be used for any type of financing where the proceeds are used to acquire equipment and to finance associated costs, including but not limited to issuance and other financing costs. In the event such transfers occur, the transfers shall be deemed an appropriation to the Treasury Board for the purpose of making the lease, rental, or debt service payments described herein.			
	G. Notwithstanding the provisions of 2.2-1156, Code of Virginia, if tax-exempt bonds were used by the Commonwealth or its authorities, boards, or institutions to finance the acquisition, construction, improvement or equipping of real property, proceeds from the subsequent sale or disposition of such property and any improvements may first be applied toward remediation options available under federal law in order to maintain the tax-exempt status of such bonds.			
	H. Included in the appropriation for this item is an amount not to exceed \$25,000,000 in the first year from the general fund for defeasance of all outstanding bonds of the Central Virginia Training Center.			
281.	A. There is hereby appropriated to the Treasury Board a sum sufficient from the general fund to pay obligations incurred pursuant to Article X, Sections 9 (a), 9 (c), and 9 (d), of the Constitution of Virginia, as follows:			
	1. Section 9 (a) To meet emergencies and redeem previous debt obligations.			
	2. Section 9 (c) Debt for certain revenue-producing capital projects.			
	3. Section 9 (d) Debt for variable rate obligations secured by general fund appropriations and a payment agreement with the Treasury Board.			
	4. For payment of the principal of and the interest on obligations, issued in accordance with the cited Sections 9 (c) and 9 (d), in the event pledged revenues are insufficient to meet the obligation of the Commonwealth.			
	B. There is hereby appropriated to the Treasury Board a sum sufficient to pay debt service expected at the time of issuance to be paid from subsidies under federal programs and for arbitrage rebate amounts and other penalties to the United States Government for bonds issued by the Commonwealth pursuant to Article X, Sections 9 (a), 9 (b), 9 (c), and 9 (d) (obligations secured by General Fund appropriations to Treasury Board) of the Constitution of Virginia.			
	Total for Treasury Board.....		<b>\$991,805,056</b>	<b>\$1,031,659,380</b>
	Fund Sources: General.....	\$954,233,341	\$994,591,558	
	Higher Education Operating.....	\$31,526,576	\$31,526,576	
	Dedicated Special Revenue.....	\$645,000	\$645,000	
	Federal Trust.....	\$5,400,139	\$4,896,246	
	<b>§ 1-88. BOARD OF ACCOUNTANCY (226)</b>			
282.	Regulation of Professions and Occupations (56000)...		\$2,767,913	\$2,767,913
	Accountant Regulation (56001).....	\$2,767,913	\$2,767,913	
	Fund Sources: Dedicated Special Revenue.....	\$2,767,913	\$2,767,913	
	Authority: Title 54.1, Chapter 44, Code of Virginia.			
	Total for Board of Accountancy.....		<b>\$2,767,913</b>	<b>\$2,767,913</b>
	Nongeneral Fund Positions.....	15.00	15.00	
	Position Level.....	15.00	15.00	
	Fund Sources: Dedicated Special Revenue.....	\$2,767,913	\$2,767,913	

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
TOTAL FOR OFFICE OF FINANCE.....			<b>\$3,962,409,064</b>	<b>\$2,868,971,687</b>
General Fund Positions.....	1,125.70	1,125.70		
Nongeneral Fund Positions.....	223.30	223.30		
Position Level.....	1,349.00	1,349.00		
Fund Sources: General.....	\$3,211,885,230	\$2,115,340,209		
Special.....	\$13,331,211	\$13,331,211		
Higher Education Operating.....	\$31,526,576	\$31,526,576		
Commonwealth Transportation.....	\$185,187	\$185,187		
Internal Service.....	\$53,183,632	\$56,770,082		
Trust and Agency.....	\$135,242,354	\$135,267,441		
Dedicated Special Revenue.....	\$511,654,735	\$511,654,735		
Federal Trust.....	\$5,400,139	\$4,896,246		

ITEM 283.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**OFFICE OF HEALTH AND HUMAN RESOURCES**

**§ 1-89. SECRETARY OF HEALTH AND HUMAN RESOURCES (188)**

283.	Administrative and Support Services (79900).....			\$1,653,270	\$903,270
	General Management and Direction (79901).....	\$1,653,270	\$903,270		
	Fund Sources: General.....	\$1,653,270	\$903,270		

Authority: Title 2.2, Chapter 2; Article 6, and § 2.2-200, Code of Virginia.

A.1. The Secretary of Health and Human Resources, in collaboration with the Office of the Attorney General and the Secretary of Public Safety and Homeland Security, shall present a six-year forecast of the adult offender population presently incarcerated in the Department of Corrections and approaching release who meet the criteria set forth in Chapter 863 and Chapter 914 of the 2006 Acts of Assembly, and who may be eligible for evaluation as sexually violent predators (SVPs) for each fiscal year within the six-year forecasting period. As part of the forecast, the secretary shall report on: (i) the number of Commitment Review Committee (CRC) evaluations to be completed; (ii) the number of eligible inmates recommended by the CRC for civil commitment, conditional release, and full release; (iii) the number of civilly committed residents of the Virginia Center for Behavioral Rehabilitation who are eligible for annual review; and (iv) the number of individuals civilly committed to the Virginia Center for Behavioral Rehabilitation and granted conditional release from civil commitment in a state SVP facility. The secretary shall complete a summary report of current SVP cases and a forecast of SVP eligibility, civil commitments, and SVP conditional releases, including projected bed space requirements, to the Governor and Senate Finance and Appropriations and House Appropriations Committees by November 15 of each year.

2. As part of the forecast process, the Department of Corrections shall administer a STATIC-99 screening to all potential Sexually Violent Predators eligible for civil commitment pursuant to § 37.2-900 et seq., Code of Virginia, within six months of admission to the Department of Corrections. The results of such screenings shall be provided to the commissioner of the Department of Behavioral Health and Developmental Services (DBHDS) on a monthly basis and used for the SVP population forecast process.

3. The Office of the Attorney General shall also provide to the commissioner of DBHDS, on a monthly basis, the status of all SVP cases pending before their office for purposes of forecasting the SVP population.

B. The Secretary of Health and Human Resources shall create a trauma-informed care workgroup to develop a shared vision and definition of trauma-informed care for agencies within the Health and Human Resources Secretariat. The workgroup shall include representatives from the Departments of Social Services, Behavioral Health and Developmental Services, Medical Assistance Services, and Health, as well as stakeholders, researchers, community organizations and representatives from impacted communities. The workgroup shall also (i) examine Virginia's applicable child and family-serving programs and data; (ii) develop strategies to build a trauma-informed system of care for children, using best practices for families who are impacted by the human service delivery system; (iii) identify indicators to measure progress in developing such a system of care; (iv) identify needed professional development/training in trauma-informed practices for all child-serving professionals and (v) identify data sharing issues that need to be addressed to facilitate such a system. In addition, the workgroup shall explore opportunities to expand trauma-informed care throughout the Commonwealth. The Secretary of Health and Human Resources shall report on the workgroup's activities to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Virginia Commission on Youth by December 15 of each year.

C.1. The Secretary of Health and Human Resources, in collaboration with the Secretary of Administration and the Secretary of Public Safety and Homeland Security, shall convene an interagency workgroup to oversee the development of a statewide integrated electronic health record (EHR) system. The workgroup shall include the Department of Behavioral Health and Developmental Services (DBHDS), the Virginia Department of Health, the Department of Corrections, the Department of Planning and Budget, staff of the House Appropriations and

ITEM 283.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Senate Finance and Appropriations Committees, and other agencies as deemed appropriate by the respective Secretaries. The purpose of the workgroup shall be to evaluate common business requirements for electronic health records to ensure consistency and interoperability with other partner state and local agencies and public and private health care entities to the extent allowed by federal and state law and regulations. The goal of the workgroup is to develop an integrated EHR which may be shared as appropriate with other partner state and local agencies and public and private health care entities. The workgroup shall evaluate the DBHDS statement of work developed for its EHR system and the DBHDS platform for potential adaption and/or use by state agencies in order to develop an integrated statewide EHR.</p>				
<p>2. The workgroup may consider and evaluate other EHR systems that may be more appropriate to meet specific agency needs and evaluate the cost-effectiveness of pursuing a separate EHR system as compared to a statewide integrated EHR. However, the workgroup shall ensure that standards are developed to ensure that EHRs can be shared as appropriate with public and private partner agencies and health care entities.</p>				
<p>3. The workgroup shall also develop an implementation timeline, cost estimates, and assess other issues that may need to be addressed in order to implement an integrated statewide EHR system. The timeline and cost estimates shall be used by the respective agencies to coordinate implementation. The workgroup shall report on its activities and any recommendations to the Joint Subcommittee on Health and Human Resources Oversight by November 1 of each year.</p>				
<p>D.1. The Secretary of Health and Human Resources shall develop a state innovation waiver under Section 1332 of the federal Patient Protection and Affordable Care Act (42 U.S.C. 18052) to implement a state reinsurance program to help stabilize the individual insurance market by reducing individual insurance premiums and out-of-pocket costs while preserving access to health insurance. The Secretary shall convene stakeholders to include representatives of health insurers, the State Corporation Commission Bureau of Insurance, consumer advocates, and others deemed necessary to assist in developing the reinsurance program.</p>				
<p>2. The State Corporation Commission Bureau of Insurance shall provide technical assistance to the Secretary of Health and Human Resources as requested.</p>				
<p>E. The Secretary of Health and Human Resources, in collaboration with the Virginia Department of Health and appropriate stakeholders, shall continue to support the efforts of the Virginia Task Force on Primary Care. The Secretary shall assist the Task Force to enhance the financing, quality and delivery of primary care in the Commonwealth. The Secretary of Health and Human Resources, in collaboration with the Virginia Department of Health, shall report on task force activities to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2022.</p>				
<p>F.1. The Secretary of Health and Human Resources shall establish a workgroup to review the current structure of the Department of Behavioral Health and Developmental Services (DBHDS) and make recommendations on modifications to the department's structure that improves the delivery of behavioral health and developmental disability services to the citizens of the Commonwealth. The workgroup shall include representatives of DBHDS, the Department of Medical Assistance Services, the Department of Planning and Budget, the Behavioral Health Commission and other entities as deemed necessary by the Secretary to complete the tasks of the workgroup. Specifically, the workgroup shall evaluate: (i) whether responsibility for developmental disability services is more appropriate in another state agency or a new state agency; (ii) whether community-based behavioral health services and the operations of the state mental health hospitals should be divided into separate entities; (iii) whether a different structure or model, such as public-private partnerships, is appropriate for the operation of state mental health hospitals; and (iv) whether the current structure for community-based services can be enhanced to better deliver services.</p>				
<p>2. Out of this appropriation, \$750,000 from the general fund the first year shall be provided for the Secretary of Health and Human Resources to contract for a feasibility analysis to transform the Catawba Hospital Campus into a state-of-the-art campus at which a continuum of substance abuse treatment and recovery services, including long-</p>				

ITEM 283.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>term, short-term, acute, and outpatient services, is provided in addition to the array of behavioral health services currently provided to individuals in need of behavioral health care services. This analysis shall be completed for consideration of the workgroup in its recommendations on the structure and delivery of behavioral health and developmental disability services.</p> <p>3. The workgroup shall report its findings and recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2022.</p> <p>G. The Secretary of Health and Human Resources, or his designee, shall continue the workgroup previously established and shall add one member from the House of Delegates appointed by the Speaker, one member from the Senate, appointed by the Committee on Rules, one representative from the Commonwealth Council on Aging, and one representative with a professional or academic background in gerontology, selected by the workgroup, to join the one representative from the Department for Aging and Rehabilitative Services, three representatives from Area Agencies on Aging, one representative from the Virginia Association of Area Agencies on Aging, one representative from the Department of Planning and Budget, one representative each from the appropriate staff of the House Appropriations and Senate Finance and Appropriations Committees. The workgroup shall seek outside expertise, as necessary. A Chair and Vice-Chair shall be elected by the members of the workgroup at the first meeting. The workgroup shall develop a plan that establishes a new structure that elevates the provision of aging services in the Commonwealth to be effective July 1, 2023. Such plan shall: (i) define how aging services and programs should fit into the overall state organizational structure; (ii) include the necessary statutory and appropriation act changes to reflect the proposed structure; (iii) include an operational plan that reflects the necessary allocation of staff and funding at the appropriate agencies; and (iv) include an analysis of the necessary costs and funding needs to elevate aging services in a new structure. The workgroup shall evaluate all state aging services and programs and determine how they should fit in the new structure. The workgroup shall submit the plan by December 1, 2022, to the Governor, the Department of Planning and Budget, and the Chairs of House Appropriations and Senate Finance and Appropriations Committees.</p> <p>H.1. The Secretary of Health and Human Resources shall establish a Task Force on Eligibility Redetermination to ensure that the Commonwealth redetermines eligibility for Medicaid in the most efficient and prudent manner possible to meet the unwinding requirement associated with the end of the federal Public Health Emergency and the provisions of the maintenance of eligibility requirement in Medicaid pursuant to the Families First Coronavirus Response Act (P.L. 166-127). The Task Force shall include representatives from the Department of Medical Assistance Services, the Department of Social Services, the Department of Planning and Budget, and staff from the House Appropriations and Senate Finance and Appropriations Committees. The Task Force shall: (i) assess the current status of the shift of eligibility for individuals to the appropriate aid category that was assumed in the November 2021 forecast; (ii) evaluate the current plan, including the timeline, of the Department of Medical Assistance Services and the local departments of social services to redetermine Medicaid eligibility in the most efficient manner after the expiration of the maintenance of eligibility requirement; (iii) assess the resources and operational capabilities of the agencies to handle the increased workload efficiently; and (iv) make recommendations as appropriate to improve the unwinding process until its conclusion.</p> <p>2. At the direction of the Secretary of Health and Human Resources, the Department of Medical Assistance Services is authorized to utilize federal American Rescue Plan Act funds allocated for this purpose to help address operational challenges in addressing eligibility redeterminations for Medicaid that may include providing additional funds to support overtime costs at local departments of social services and/or issuing emergency contracts to hire contractors to assist in the efforts.</p> <p>3. The Secretary shall provide an update to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2022, and every 90 days thereafter through the end of fiscal year 2023, on the efforts and challenges related to eligibility redetermination efforts.</p>				
Total for Secretary of Health and Human Resources...			\$1,653,270	\$903,270

ITEM 283.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
General Fund Positions.....	5.00	5.00		
Position Level.....	5.00	5.00		
Fund Sources: General.....	\$1,653,270	\$903,270		

**Children's Services Act (200)**

284.	Protective Services (45300).....			\$385,591,773	\$385,591,773
	Financial Assistance for Child and Youth Services (45303).....	\$385,591,773	\$385,591,773		
	Fund Sources: General.....	\$327,959,444	\$327,959,444		
	Federal Trust.....	\$57,632,329	\$57,632,329		

Authority: Title 2.2, Chapter 52, Code of Virginia.

A. The Department of Education shall serve as fiscal agent to administer funds cited in paragraphs B and C.

B.1.a. Out of this appropriation, \$269,287,579 the first year and \$269,287,579 the second year from the general fund and \$57,632,329 the first year and \$57,632,329 the second year from nongeneral funds shall be used for the state pool of funds pursuant to § 2.2-5211, Code of Virginia. This appropriation shall consist of a Medicaid pool allocation, and a non-Medicaid pool allocation.

b. The Medicaid state pool allocation shall consist of \$31,214,350 the first year and \$31,214,350 the second year from the general fund and \$48,212,331 the first year and \$48,212,331 the second year from nongeneral funds. The Office of Children's Services will transfer these funds to the Department of Medical Assistance Services as they are needed to pay Medicaid provider claims.

c. The non-Medicaid state pool allocation shall consist of \$238,073,229 the first year and \$238,073,229 the second year from the general fund and \$8,419,998 the first year and \$8,419,998 the second year from nongeneral funds. The nongeneral funds shall be transferred from the Department of Social Services.

d. The Office of Children's Services, with the concurrence of the Department of Planning and Budget, shall have the authority to transfer the general fund allocation between the Medicaid and non-Medicaid state pools in the event that a shortage should exist in either of the funding pools.

e. The Office of Children's Services, per the policy of the State Executive Council, shall deny state pool funding to any locality not in compliance with federal and state requirements pertaining to the provision of special education and foster care services funded in accordance with § 2.2-5211, Code of Virginia.

2.a. Out of this appropriation, \$55,666,865 the first year and \$55,666,865 the second year from the general fund and \$1,000,000 the first year and \$1,000,000 the second year from nongeneral funds shall be set aside to pay for the state share of supplemental requests from localities that have exceeded their state allocation for mandated services. The nongeneral funds shall be transferred from the Department of Social Services.

b. In each year, the director of the Office of Children's Services may approve and obligate supplemental funding requests in excess of the amount in 2a above, for mandated pool fund expenditures up to 10 percent of the total general fund appropriation authority in B 1a in this Item.

c. The State Executive Council shall maintain local government performance measures to include, but not be limited to, use of federal funds for state and local support of the Children's Services Act.

d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall seek to ensure that services and funding are consistent with the Commonwealth's policies of preserving families and providing appropriate services in the least restrictive environment, while protecting the welfare of children and maintaining the safety of the

ITEM 284.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>public. Each locality shall submit to the Office of Children's Services information on utilization of residential facilities for treatment of children and length of stay in such facilities. By December 15 of each year, the Office of Children's Services shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on utilization rates and average lengths of stays statewide and for each locality.</p>				
<p>3. Each locality receiving funds for activities under the Children's Services Act (CSA) shall have a utilization management process, including a uniform assessment, approved by the State Executive Council, covering all CSA services. Utilizing a secure electronic site, each locality shall also provide information as required by the Office of Children's Services to include, but not be limited to case specific information, expenditures, number of youth served in specific CSA activities, length of stay for residents in core licensed residential facilities, and proportion of youth placed in treatment settings suggested by the uniform assessment instrument. The State Executive Council, utilizing this information, shall track and report on child specific outcomes for youth whose services are funded under the Children's Services Act. Only non-identifying demographic, service, cost and outcome information shall be released publicly. Localities requesting funding from the set aside in paragraph 2.a. and 2.b. must demonstrate compliance with all CSA provisions to receive pool funding.</p>				
<p>4. The Secretary of Health and Human Resources, in consultation with the Secretary of Education and the Secretary of Public Safety and Homeland Security, shall direct the actions for the Departments of Social Services, Education, and Juvenile Justice, Medical Assistance Services, Health, and Behavioral Health and Developmental Services, to implement, as part of ongoing information systems development and refinement, changes necessary for state and local agencies to fulfill CSA reporting needs.</p>				
<p>5. The State Executive Council shall provide localities with technical assistance on ways to control costs and on opportunities for alternative funding sources beyond funds available through the state pool.</p>				
<p>6. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund is provided for a combination of regional and statewide meetings for technical assistance to local community policy and management teams, family assessment and planning teams, and local fiscal agents. Training shall include, but not be limited to, cost containment measures, building community-based services, including creation of partnerships with private providers and non-profit groups, utilization management, use of alternate revenue sources, and administrative and fiscal issues. A state-supported institution of higher education, in cooperation with the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, may assist in the provisions of this paragraph. A training plan shall be presented to and approved by the State Executive Council before the beginning of each fiscal year. A training calendar and timely notice of programs shall be provided to Community Policy and Management Teams and family assessment and planning team members statewide as well as to local fiscal agents and chief administrative officers of cities and counties. A report on all regional and statewide training sessions conducted during the fiscal year, including (i) a description of each program and trainers, (ii) the dates of the training and the number of attendees for each program, (iii) a summary of evaluations of these programs by attendees, and (iv) the funds expended, shall be made to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and to the members of the State Executive Council by December 1 of each year. Any funds unexpended for this purpose in the first year shall be reappropriated for the same use in the second year.</p>				
<p>7. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the general fund is provided for the Office of Children's Services to contract for the support of uniform CSA reporting requirements.</p>				
<p>8. The State Executive Council shall require a uniform assessment instrument.</p>				
<p>9. The Office of Children's Services, in conjunction with the Department of Social Services, shall determine a mechanism for reporting Temporary Assistance for Needy Families Maintenance of Effort eligible costs incurred by the Commonwealth and local governments for the Children's Services Act.</p>				
<p>10. For purposes of defining cases involving only the payment of foster care maintenance, pursuant to § 2.2-5209, Code of Virginia, the definition of foster care maintenance used by</p>				



ITEM 284.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

the Virginia Department of Social Services for federal Title IV-E shall be used.

C. The funding formula to carry out the provisions of the Children's Services Act is as follows:

1. Allocations. The allocations for the Medicaid and non-Medicaid pools shall be the amounts specified in paragraphs B.1.b. and B.1.c. in this Item. These funds shall be distributed to each locality in each year of the biennium based on the greater of that locality's percentage of actual 1997 Children's Services Act pool fund program expenditures to total 1997 pool fund program expenditures or the latest available three-year average of actual pool fund program expenditures as reported to the state fiscal agent.

2. Local Match. All localities are required to appropriate a local match for the base year funding consisting of the actual aggregate local match rate based on actual total 1997 program expenditures for the Children's Services Act. This local match rate shall also apply to all reimbursements from the state pool of funds in this Item and carryforward expenditures submitted prior to September 30 each year for the preceding fiscal year, including administrative reimbursements under paragraph C.4. in this Item.

3.a. Notwithstanding the provisions of C.2. of this Item, beginning July 1, 2008, the local match rate for community based services for each locality shall be reduced by 50 percent.

b. Localities shall review their caseloads for those individuals who can be served appropriately by community-based services and transition those cases to the community for services. Beginning July 1, 2009, the local match rate for non-Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base. Beginning July 1, 2011, the local match rate for Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base.

c. By December 1 of each year, The State Executive Council (SEC) shall provide an update to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the outcomes of this initiative.

d. At the direction of the State Executive Council, local Community Policy and Management Teams (CPMTs) and Community Services Boards (CSBs) shall work collaboratively in their service areas to develop a local plan for intensive care coordination (ICC) services that best meets the needs of the children and families. If there is more than one CPMT in the CSB's service area, the CPMTs and the CSB may work together as a region to develop a plan for ICC services. Local CPMTs and CSBs shall also work together to determine the most appropriate and cost-effective provider of ICC services for children in their community who are placed in, or at-risk of being placed in, residential care through the Children's Services Act, in accordance with guidelines developed by the State Executive Council. The State Executive Council and Office of Children's Services shall establish guidelines for reasonable rates for ICC services and provide training and technical assistance to CPMTs and fiscal agents regarding these services.

e. The local match rate for all non-Medicaid services provided in the public schools after June 30, 2011 shall equal the fiscal year 2007 base.

4. Local Administrative Costs. Out of this appropriation, an amount equal to two percent of the fiscal year 1997 pool fund allocations, not to exceed \$2,560,000 the first year and \$2,560,000 the second year from the general fund, shall be allocated among all localities for administrative costs. Every locality shall be required to appropriate a local match based on the local match contribution in paragraph C.2. of this Item. Inclusive of the state allocation and local matching funds, every locality shall receive the larger of \$12,500 or an amount equal to two percent of the total pool allocation. Localities are encouraged to use administrative funding to hire a full-time or part-time local coordinator for the Children's Services Act program. Localities may pool this administrative funding to hire regional coordinators.

5. Definition. For purposes of the funding formula in the Children's Services Act, "locality" means city or county.

D. Community Policy and Management Teams shall use Medicaid-funded services whenever they are available for the appropriate treatment of children and youth receiving

ITEM 284.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>services under the Children's Services Act. Effective July 1, 2009, pool funds shall not be spent for any service that can be funded through Medicaid for Medicaid-eligible children and youth except when Medicaid-funded services are unavailable or inappropriate for meeting the needs of a child.</p> <p>E. Pursuant to subdivision 3 of § 2.2-5206, Code of Virginia, Community Policy and Management Teams shall enter into agreements with the parents or legal guardians of children receiving services under the Children's Services Act. The Office of Children's Services shall be a party to any such agreement.</p> <p>F. The Office of Children's Services, in cooperation with the Department of Medical Assistance Services, shall provide technical assistance and training to assist residential and treatment foster care providers who provide Medicaid-reimbursable services through the Children's Services Act to become Medicaid-certified providers.</p> <p>G. The Office of Children's Services shall work with the State Executive Council and the Department of Medical Assistance Services to assist Community Policy and Management Teams in appropriately accessing a full array of Medicaid-funded services for Medicaid-eligible children and youth through the Children's Services Act, thereby increasing Medicaid reimbursement for treatment services and decreasing the number of denials for Medicaid services related to medical necessity and utilization review activities.</p> <p>H. Pursuant to subdivision 21 of § 2.2-2648, Code of Virginia, no later than December 20 in the odd-numbered years, the State Executive Council shall biennially publish and disseminate to members of the General Assembly and Community Policy and Management Teams a progress report on services for children, youth, and families and a plan for such services for the succeeding biennium.</p> <p>I. Out of this appropriation, \$275,000 the first year and \$275,000 the second year from the general fund shall be used to purchase and maintain an information system to provide quality and timely child demographic, service, expenditure, and outcome data.</p> <p>J. The State Executive Council shall work with the Department of Education to ensure that funding in this Item is sufficient to pay for the educational services of students that have been placed in or admitted to state or privately operated psychiatric or residential treatment facilities to meet the educational needs of the students as prescribed in the student's Individual Educational Plan (IEP).</p> <p>K.1. The Office of Children's Services (OCS) shall report on funding for therapeutic foster care services including but not limited to the number of children served annually, average cost of care, type of service provided, length of stay, referral source, and ultimate disposition. In addition, the OCS shall provide guidance and training to assist localities in negotiating contracts with therapeutic foster care providers.</p> <p>2. The Office of Children's Services shall report on funding for special education day treatment and residential services, including but not limited to the number of children served annually, average cost of care, type of service provided, length of stay, referral source, and ultimate disposition.</p> <p>3. The Office of Children's Services shall report by December 1 of each year the information included in this paragraph to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.</p> <p>L. Out of this appropriation, the Director, Office of Children's Services, shall allocate \$2,200,000 the first year and \$2,200,000 the second year from the general fund to localities for wrap-around services for students with disabilities as defined in the Children's Services Act policy manual.</p>				
285.	Administrative and Support Services (49900).....		\$2,739,989	\$2,700,324
	General Management and Direction (49901).....	\$2,739,989	\$2,700,324	
	Fund Sources: General.....	\$2,739,989	\$2,700,324	

Authority: Title 2.2, Chapter 26, Code of Virginia.

A. The Office of Children's Services may enter into a memorandum of understanding with the

ITEM 285.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Department of Social Services for the provision of routine administrative support services.				
B. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund is provided to the Office of Children's Services for a contract to assist in implementing rate setting for private day special education rates. The Office of Children's Services shall use the first year funding to develop a fiscal impact estimate of the rate changes on expenditures for private day special education services. The Office of Children's Services shall implement statewide rates for private day special education services effective July 1, 2023.				
C. The Office of Children's Services shall collect annually from each local Children's Services Act program the number of program staff by full- and part-time status and the administrative budget broken out by state and local funding to understand local program resources and target technical assistance to the most under-sourced local programs.				
Total for Children's Services Act.....			<b>\$388,331,762</b>	<b>\$388,292,097</b>
General Fund Positions.....	16.00	16.00		
Position Level.....	16.00	16.00		
Fund Sources: General.....	\$330,699,433	\$330,659,768		
Federal Trust.....	\$57,632,329	\$57,632,329		
Grand Total for Secretary of Health and Human Resources.....			<b>\$389,985,032</b>	<b>\$389,195,367</b>
General Fund Positions.....	21.00	21.00		
Position Level.....	21.00	21.00		
Fund Sources: General.....	\$332,352,703	\$331,563,038		
Federal Trust.....	\$57,632,329	\$57,632,329		

**§ 1-90. DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING (751)**

286.	Social Services Research, Planning, and Coordination (45000).....			\$3,916,606	\$3,877,656
	Technology Services for Deaf and Hard-of-Hearing (45004).....	\$2,362,346	\$2,362,346		
	Consumer, Interpreter, and Community Support Services (45005).....	\$1,106,229	\$1,067,279		
	Administrative Services (45006).....	\$448,031	\$448,031		
	Fund Sources: General.....	\$1,320,862	\$1,320,862		
	Special.....	\$2,381,294	\$2,381,294		
	Federal Trust.....	\$214,450	\$175,500		

Authority: Title 51.5, Chapter 13, Code of Virginia.

A. Up to \$48,529 the first year and up to \$48,529 the second year from the general fund is provided to the Department of Deaf and Hard-of-Hearing (DDHH) to contract with the Department for Aging and Rehabilitative Services (DARS) for the provision of shared administrative services. The scope of the services and specific costs shall be outlined in a memorandum of understanding (MOU) between DDHH and DARS subject to the approval of the respective agency heads. Any revision to the MOU shall be reported by DARS to the Director, Department of Planning and Budget within 30 days.

B. Out of this appropriation, an amount estimated at \$1,656,000 the first year and \$1,656,000 the second year from special funds shall be used to cover the cost of providing telecommunications relay service as defined in §51.5-115, Code of Virginia.

C.1. Notwithstanding § 58.1-662 of the Code of Virginia, prior to the distribution of monies from the Communications Sales and Use Tax Trust Fund to counties, cities and towns, there shall be distributed monies in the fund to pay for the Technology Assistance Program. This requirement shall not change any other distributions required by law from the Communications Sales and Use Tax Trust Fund.

ITEM 286.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
2. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from special funds shall be used for the Technology Assistance Program.				
D. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be used to contract with a provider for the provision of equipment distribution and community services to deaf and hard-of-hearing individuals in the southwest Virginia region.				
E. Out of this appropriation, \$238,200 the first year and \$238,200 the second year from the general fund shall be used to support the cost of a deaf mentor program for children.				
Total for Department for the Deaf and Hard-Of-Hearing.....			<b>\$3,916,606</b>	<b>\$3,877,656</b>
General Fund Positions.....	8.37	8.37		
Nongeneral Fund Positions.....	2.63	2.63		
Position Level.....	11.00	11.00		
Fund Sources: General.....	\$1,320,862	\$1,320,862		
Special.....	\$2,381,294	\$2,381,294		
Federal Trust.....	\$214,450	\$175,500		

**§ 1-91. DEPARTMENT OF HEALTH (601)**

287. Higher Education Student Financial Assistance (10800).....			\$6,860,000	\$6,860,000
Scholarships (10810).....	\$6,860,000	\$6,860,000		
Fund Sources: General.....	\$5,175,000	\$5,175,000		
Dedicated Special Revenue.....	\$85,000	\$85,000		
Federal Trust.....	\$1,600,000	\$1,600,000		

Authority: §§ 23.1-614 and 32.1-122.5:1 through 32.1-122.10, Code of Virginia.

A. This appropriation shall only be used for the provision of loans or scholarships in accordance with regulations promulgated by the Board of Health, or for the administration, management, and reporting thereof. The department may move appropriation between scholarship or loan repayment programs as long as the scholarship or loan repayment is in accordance with the regulations promulgated by the Board of Health.

B.1. The Virginia Department of Health shall establish the Virginia Behavioral Health Loan Repayment Program. Eligible practitioners include: psychiatrists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors, child and adolescent psychiatrists, psychiatric physician assistants, psychiatric pharmacists, and psychiatric nurse practitioners. The program shall include a tiered incentive system as follows: (i) Tier I providers: child and adolescent psychiatrists, psychiatric nurse practitioners, and psychiatrists; and (ii) Tier II providers: licensed clinical psychologists, licensed clinical social workers, and licensed professional counselors.

2. For each eligible year of service provided, the practitioner shall receive a year of applicable loan repayment award in return. Loan repayment checks will be submitted at the end of each year of service. Payments will be made directly to the lender. Practitioners must agree to a minimum of two years of practice for the behavioral health provider with the ability for two one-year renewals. The program shall require preference be given to applicants choosing to practice in underserved areas which must be a federally designated mental Health Professional Shortage Area or Medically Underserved Area within the Commonwealth. Practitioners are required to practice at Community Services Boards, behavioral health authorities, state mental health facilities, free clinics, federally qualified health centers, stand-alone inpatient psychiatric facilities that serve uninsured or medically underserved populations and/or communities, and other similar health safety net organizations in order to be eligible for the program. The award amount is up to 25 percent of student loan debt, not to exceed \$30,000 per year for Tier I professionals or \$20,000 per year for Tier II professionals. In no instance shall the loan repayment exceed the total student loan debt.

3. No match contribution from practice sites or the community is required. Loan repayment

ITEM 287.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

awards shall be tax exempt.

4. The program shall have an Advisory Board, composed of representatives from stakeholder organizations and community members as determined by the department. The Advisory Board will meet annually and provide guidance regarding effective outreach and feedback on both programmatic processes and impact. The department shall provide an annual report to the Advisory Board on successes, challenges and opportunities with the program.

5. The Board of Health shall develop regulations consistent with this language in order for the department to administer the program.

C.1. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided to the Virginia Department of Health to establish a Nursing Preceptor Incentive Program. The department shall collaborate with the State Council of Higher Education for Virginia, the Virginia Nurses Association, the Virginia Healthcare and Hospital Association, and other relevant stakeholders on an advanced practice nursing student preceptor grant program. The program shall offer a \$1,000 incentive for any Virginia licensed physician, physician's assistant, or advanced practice registered nurse (APRN) who, in conjunction with a licensed and accredited Virginia public or private not-for-profit school of nursing, provides a clinical education rotation of 250 hours, which is certified as having been completed by the school. The amount of the incentive may be adjusted based on the actual number of hours completed during the clinical education rotation. The program shall seek to reduce the shortage of APRN clinical education opportunities and establish new preceptor rotations for advanced practice nursing students, especially in high demand fields such as psychiatry.

2. The Virginia Health Workforce Development Authority shall develop the process for the consideration of requests for funding from the Nursing Preceptor Incentive Program.

D. Out of this appropriation, \$35,000 the first year and \$35,000 the second year from the general fund is provided for the Nurse Loan Repayment Program to provide loan repayments for certified nurse aides. The total loan repayment allowed per certified nurse aide is limited to no more than \$1,000.

E.1. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be used to fund nursing scholarship and loan repayment programs to recruit and retain nurses and nurse faculty, consistent with § 32.1-122.6:01 of the Code of Virginia, the Nursing Preceptor Incentive Program established in Chapter 552, 2021 Special Session I, Acts of Assembly, the Virginia Nurse Practitioner/Nurse Midwife scholarship program, the Nurse Educator Scholarship Program pursuant to 12VAC5-545-10, the Nurse Loan Repayment Program authorized in § 32.1-122.6:04, Code of Virginia, and the Long-Term Facility Nursing Scholarship Program, authorized in § 54.1-3011.2, Code of Virginia.

2. Of the appropriation in paragraph E.1., \$64,000 the first year and \$64,000 the second year from the general fund shall be provided to fund the Long-Term Facility Nursing Scholarship, authorized in § 54.1-3011.2, Code of Virginia. The program shall offer a scholarship for any Virginia student accepted for enrollment or enrolled in an approved education program in the Commonwealth of Virginia to become a certified nurse aide, licensed practical nurse, or registered nurse, and who commits to work in a long-term care facility after graduation. For each year of scholarship money received, the participant agrees to engage in the equivalent of one year of full-time nursing practice in a long-term care facility in the Commonwealth.

3. Of the remaining appropriation in paragraph E.1., \$936,000 the first year and \$936,000 the second year from the general fund shall be provided for nursing scholarship, loan repayment and incentive programs based on priorities as identified by the Commissioner of Health and the ability of the department to expedite funding to recipients.

4. Any unexpended balance in this item at the close of business on June 30 each year shall not revert to the general fund, but shall be carried forward and reappropriated.

F. No later than August 1, 2022, the Virginia Department of Health shall publish on its website information about all health and behavioral health care scholarship and loan

ITEM 287.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
288.	Emergency Medical Services (40200).....		\$49,997,611	\$49,997,611
	Financial Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203).....	\$33,446,098		
	State Office of Emergency Medical Services (40204).	\$16,551,513		
	Fund Sources: Special.....	\$20,589,681		
	Dedicated Special Revenue.....	\$29,000,789		
	Federal Trust.....	\$407,141		

Authority: §§ 32.1-111.1 through 32.1-111.16, 32.1-116.1 through 32.1-116.3, and 46.2-694 A 13, Code of Virginia.

A. Out of this appropriation, \$25,000 the first year and \$25,000 the second year from special funds shall be provided to the Department of State Police for administration of criminal history record information for local volunteer fire and rescue squad personnel (pursuant to § 19.2-389 A 11, Code of Virginia).

B. Distributions made under § 46.2-694 A 13 b (iii), Code of Virginia, shall be made only to nonprofit emergency medical services organizations. The Virginia Department of Health shall develop and implement a plan to ensure timely quarterly distributions of \$4.25 for Life funding to the Virginia Association of Volunteer Rescue Squads beginning quarterly in May 2021.

C. Out of this appropriation, \$1,045,375 the first year and \$1,045,375 the second year from the Virginia Rescue Squad Assistance Fund and \$2,052,723 the first year and \$2,052,723 the second year from the special emergency medical services fund shall be provided to the Department of State Police for aviation (med-flight) operations.

D. The State Health Commissioner shall review current funding provided to trauma centers to offset uncompensated care losses, report on feasible long-term financing mechanisms, and examine and identify potential funding sources on the federal, state and local level that may be available to Virginia's trauma centers to support the system's capacity to provide quality trauma services to Virginia citizens. As sources are identified, the commissioner shall work with any federal and state agencies and the Trauma System Oversight and Management Committee to assist in securing additional funding for the trauma system.

E. Notwithstanding any other provision of law or regulation, the Board of Health shall not modify the geographic or designated service areas of designated regional emergency medical services councils in effect on January 1, 2008, or make such modifications a criterion in approving or renewing applications for such designation or receiving and disbursing state funds.

F. Notwithstanding any other provision of law or regulation, funds from the \$0.25 of the \$4.25 for Life fee shall be provided for the payment of the initial basic level emergency medical services certification examination provided by the National Registry of Emergency Medical Technicians (NREMT). The Board of Health shall determine an allocation methodology upon recommendation by the State EMS Advisory Board to ensure that funds are available for the payment of initial NREMT testing and distributed to those individuals seeking certification as an Emergency Medical Services provider in the Commonwealth of Virginia.

G. Out of this appropriation, \$190,000 the first year and \$190,000 the second year from the Virginia Rescue Squad Assistance Fund shall be provided for national background checks on persons applying to serve as a certified or non-certified provider in a licensed emergency medical services agency. The Office of Emergency Medical Services may transfer funding to the Office of State Police for national background checks as necessary. The Virginia Department of Health shall continue to allow local EMS agencies to submit fingerprint cards for background checks on volunteers applying to be a member of local EMS agencies. The

ITEM 288.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
cost of the criminal background shall be paid from funds available to the Office of Emergency Medical Services.				
H. The Virginia Department of Health shall make at least one annual distribution from the Trauma Center Fund, established pursuant to § 18.2-270.01, Code of Virginia, to eligible hospitals based on the available funding at the time of distribution.				
289.	Medical Examiner and Anatomical Services (40300).....		\$17,754,161	\$17,754,161
	Anatomical Services (40301).....	\$712,685		\$712,685
	Medical Examiner Services (40302).....	\$17,041,476		\$17,041,476
	Fund Sources: General.....	\$14,901,991		\$14,901,991
	Special.....	\$1,431,231		\$1,431,231
	Federal Trust.....	\$1,420,939		\$1,420,939
Authority: §§ 32.1-277 through 32.1-304, Code of Virginia.				
290.	Vital Records and Health Statistics (40400).....		\$8,676,912	\$8,676,912
	Health Statistics (40401).....	\$1,112,716		\$1,112,716
	Vital Records (40402).....	\$7,564,196		\$7,564,196
	Fund Sources: Special.....	\$8,033,233		\$8,033,233
	Federal Trust.....	\$643,679		\$643,679
Authority: §§ 8.01-217, 32.1-249 through 32.1-276, Code of Virginia; and P.L. 93-353, as amended, Federal Code.				
A. Effective July 1, 2004, the standard vital records fee shall be \$12.00 and the fee for the expedited record search shall be \$48.00.				
B. Notwithstanding § 32.1-273.D, Code of Virginia, the revenues generated from the sale of birth, marriage, or divorce records in state administered health districts shall be distributed between the districts that issue the records and the Division of Vital Records. The revenues will be split with 65 percent remaining in the district to support the costs of that district and 35 percent to be transferred to the Division of Vital Records to support ongoing infrastructure costs associated with the collection, retention and issuance of the Commonwealth's vital records.				
C. The state teaching hospitals shall work with the Department of Health and Division of Vital Records to fully implement use of the Electronic Death Registration System (EDRS) for all deaths occurring within any Virginia state teaching hospital's facilities.				
D. Notwithstanding § 32.1-273.1., Code of Virginia, two dollars of each fee collected by the State Registrar shall be deposited by the Comptroller to the Virginia Vital Statistics Automation Fund.				
291.	Communicable Disease Prevention and Control (40500).....		\$468,799,929	\$246,001,145
	Immunization Program (40502).....	\$42,336,171		\$62,336,171
	Tuberculosis Prevention and Control (40503).....	\$2,282,896		\$2,282,896
	Sexually Transmitted Disease Prevention and Control (40504).....	\$4,603,141		\$4,603,141
	Disease Investigation and Control Services (40505).....	\$327,680,833		\$85,032,049
	HIV/AIDS Prevention and Treatment Services (40506).....	\$89,218,326		\$89,068,326
	Pharmacy Services (40507).....	\$2,678,562		\$2,678,562
	Fund Sources: General.....	\$14,569,348		\$14,569,348
	Special.....	\$2,744,383		\$2,744,383
	Federal Trust.....	\$451,486,198		\$228,687,414
Authority: §§ 32.1-11.1, 32.1-11.2, and 32.1-35 through 32.1-73, Code of Virginia; and P.L. 91-464, as amended, Federal Code.				

ITEM 291.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
A.	Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.			
B.	Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents.			
C.	The requirement for testing of tuberculosis isolates set out in § 32.1-50 E, Code of Virginia, shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.			
D.	Out of this appropriation, \$840,288 the first year and \$840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance.			
E.	Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia Medication Assistance Program (VA MAP), formerly AIDS Drug Assistance Program, with incomes meeting the VA MAP's current requirements and who are Medicare prescription drug coverage beneficiaries.			
F.	The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia Medication Assistance Program (VA MAP), formerly AIDS Drug Assistance Program, due to budget considerations. At a minimum the Commissioner shall monitor patients to determine if they have been successfully enrolled in a private Pharmacy Assistance Program or other program to receive appropriate anti-retroviral medications. The commissioner shall also monitor the program to assess whether a waiting list has developed for services provided through the VA MAP program. The commissioner shall report findings to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually on October 1.			
G.	The Virginia Department of Health shall report for each month within 30 days after the end of each month, on the number of procedures approved for payment pursuant to § 32.1-92.2, Code of Virginia, and include a description of the nature of the fetal abnormality, to the extent permitted by law, as required for eligibility under § 32.1-92.2, Code of Virginia. The department shall report the information by letter to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.			
H.	The Virginia Department of Health, in cooperation with the Department of Behavioral Health and Developmental Services (DBHDS), shall utilize \$1,600,011 each year from available federal funding in DBHDS, including the State Opioid Response Grant, as available, to purchase and provide opioid reversal drugs to support community rescue efforts for those who deal with vulnerable populations.			
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.			
J.	The Virginia Department of Health shall review and update their data collection and			



ITEM 291.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

reporting protocols for COVID-19 or other infectious disease data to report actual deaths not an extrapolated projection of deaths.

K. 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.

L. Out of this appropriation, \$1,300,000 the first year and \$1,300,000 the second year from the general fund shall be used to purchase opioid reversal drugs.

M. The Virginia Department of Health shall work with the Department of Behavioral Health and Developmental Services (DBHDS) to ensure that adequate funding, estimated at \$2,685,312 the first year, is provided for COVID-19 testing and surveillance at DBHDS state-operated facilities. Any amount not expended in the first year may be appropriated in the second year to continue services. The Virginia Department of Health shall include such activity in its plan to the Centers for Disease Control and Prevention for the use of the federal Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) funds received pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-260). The Virginia Department of Health shall transfer such funds to the Department of Behavioral Health and Developmental Services as necessary for such activities.

292.	Health Research, Planning, and Coordination (40600).....			\$38,397,213	\$23,041,547
	Health Research, Planning and Coordination (40603).....	\$19,705,131	\$4,065,770		
	Regulation of Health Care Facilities (40607).....	\$16,111,899	\$16,395,594		
	Certificate of Public Need (40608).....	\$1,716,056	\$1,716,056		
	Cooperative Agreement Supervision (40609).....	\$864,127	\$864,127		
	Fund Sources: General.....	\$5,664,511	\$5,348,206		
	Special.....	\$3,351,243	\$3,351,243		
	Dedicated Special Revenue.....	\$626,798	\$626,798		
	Federal Trust.....	\$28,754,661	\$13,715,300		

Authority: §§ 32.1-102.1 through 32.1-102.11; 32.1-122.01 through 32.1-122.08; and 32.1-123 through 32.1-138.5, Code of Virginia; and P.L. 96-79, as amended, Federal Code; and Title XVIII and Title XIX of the U.S. Social Security Act, Federal Code.

A. Supplemental funding for the regional health planning agencies shall be provided from the following sources:

1. Special funds from Certificate of Public Need (40608) application fees in excess of those required to operate the COPN Program, provided the program may retain special fund balances each year equal to one month's operational needs in case of revenue shortfalls in the subsequent year.
2. The Department of Health shall revise annual agreements with the regional health planning agencies to require an annual independent financial audit to examine the use of state funds and the reasonableness of those expenditures.

B. Failure of any regional health planning agency to establish or sustain business operations shall cause funds to revert to the Central Office to support health planning and Certificate of Public Need functions.

C. The State Health Commissioner shall continue implementation of the "Five-Year Action Plan: Improving Access to Primary Health Care Services in Medically Underserved Areas and Populations of the Commonwealth." A minimum of \$690,000 the

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>first year and \$690,000 the second year from the general fund shall be provided to the Virginia Office of Rural Health, as the state match for the federal Office of Rural Health Policy Grant. The commissioner is authorized to contract for services to accomplish the plan.</p> <p>D. Out of this appropriation, \$278,000 the first year and \$278,000 the second year shall be appropriated to the department from statewide indirect cost recoveries to match federal funds and support the programs of the Office of Licensure and Certification. Amounts recovered in excess of the special fund appropriation shall be deposited to the general fund.</p> <p>E. The Virginia Department of Health (VDH) in collaboration with the Department of Health Professions shall issue risk mitigation guidelines on the prescription of the class of potent pain medicines known as extended-release and long-acting (ER/LA) opioid analgesics to include co-prescription of an opioid antagonist, approved by the U.S. Food and Drug Administration (FDA), for administration by family members or caregivers in a non-medically supervised environment.</p> <p>F. The Virginia Department of Health shall provide administrative and technical support to the Virginia Partners in Prayer Program through its Office of Health Equity. The cost of this support is estimated to be approximately \$20,000 per year and shall be funded within its existing appropriation.</p> <p>G. The provisions of § 32.1-102.4 (B), Code of Virginia, shall not apply to nursing homes.</p> <p>H.1. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from the general fund shall be transferred to the Virginia Health Workforce Development Authority for operational costs.</p> <p>2. Out of this appropriation, \$600,000 the first year from the general fund shall be transferred to the Virginia Health Workforce Development Authority to establish a workgroup to conduct a study on addressing primary care workforce issues and potential solutions, including but not limited to the feasibility of loan forgiveness programs. The workgroup shall be comprised of relevant stakeholders including representatives of the State Council of Higher Education for Virginia (SCHEV), Virginia Community College System (VCCS), the Secretary of Health and Human Resources, the Secretary of Education, the Secretary of Labor, the Virginia Department of Health, and the Department of Health Professions. All agencies of the Commonwealth, including institutions of higher education, shall lend assistance to the workgroup as called upon. Such workgroup shall review current and projected nursing shortages, as well as clinical and preceptor shortages, and offer recommendations to address these issues, including but not limited to alternative educational approaches to preparing and retaining nurses and nurse educators. An initial report shall be submitted to the Governor, Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget by November 1, 2022. A final report shall be submitted to the Governor, Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, detailing findings and recommendations by October 1, 2023.</p> <p>I. Out of this appropriation, \$60,000 the first year and \$60,000 the second year from the general fund shall be provided to contract with the Virginia Telehealth Network to provide consultation to advisory groups, track implementation and facilitate changes to the Statewide Telehealth Plan.</p>				
293.	State Health Services (43000).....		\$163,699,331	\$164,139,331
	Child and Adolescent Health Services (43002).....	\$12,001,037		\$12,001,037
	Women's and Infant's Health Services (43005).....	\$11,879,886		\$11,879,886
	Chronic Disease Prevention, Health Promotion, and Oral Health (43015).....	\$12,259,308		\$12,699,308
	Injury and Violence Prevention (43016).....	\$4,372,904		\$4,372,904
	Women, Infants, and Children (WIC) and Community Nutrition Services (43017).....	\$123,186,196		\$123,186,196
	Fund Sources: General.....	\$7,359,330		\$7,799,330
	Special.....	\$3,149,688		\$3,149,688
	Dedicated Special Revenue.....	\$59,343,095		\$59,343,095
	Federal Trust.....	\$93,847,218		\$93,847,218

ITEM 293.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
<p>Authority: §§ 32.1-11, 32.1-77, 32.1-89, and 32.1-90, Code of Virginia; P.L. 94-566, as amended, Title V of the U.S. Social Security Act and Title X of the U.S. Public Health Service Act, Federal Code; and P.L. 95-627, as amended, Federal Code.</p> <p>A. Out of this appropriation, \$999,804 the first year and \$999,804 the second year from special funds is provided to support the newborn screening program and its expansion pursuant to Chapters 717 and 721, Act of Assembly of 2005, and Chapter 531, 2018 Acts of Assembly. Fee revenues sufficient to fund the Department of Health's costs of the program and its expansion shall be transferred from the Division of Consolidated Laboratory Services.</p> <p>B. The Special Supplemental Nutrition Program for Women, Infants, and Children is exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.).</p> <p>C. Out of this appropriation, \$305,000 the first year and \$305,000 the second year from the general fund shall be provided to the department's sickle cell program to address rising pediatric caseloads in the current program. Any remaining funds shall be used to develop transition services for youth who will require adult services to ensure appropriate medical services are available and provided for youth who age out of the current program.</p> <p>D. It is the intent of the General Assembly that the State Health Commissioner continue providing services through child development clinics and access to children's dental services.</p> <p>E. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the federal TANF block grant shall be provided to the Department of Health for the operation of the Resource Mothers program.</p> <p>F.1. Out of this appropriation, \$124,470 the first year and \$124,470 the second year from the general fund and \$82,980 the first year and \$82,980 the second year from nongeneral funds shall be provided for the Virginia Department of Health to establish and administer a Perinatal Quality Collaborative. The Perinatal Quality Collaborative shall work to improve pregnancy outcomes for women and newborns by advancing evidence-based clinical practices and processes through continuous quality improvement with an initial focus on pregnant women with substance use disorder and infants impacted by neonatal abstinence syndrome.</p> <p>2. Out of this appropriation, \$315,000 the first year and \$315,000 the second year from the general fund shall be provided to support efforts by the Virginia Neonatal Perinatal Collaborative (VNPC) to decrease maternal mortality and morbidity. Funding shall be used for a coordinator position for community engagement, training and education; the development of a pilot program of the Centers for Disease Control's levels of care assessment (LOCATe) tool in the Richmond metropolitan region and Tidewater region; and development of a Project ECHO tele-education model for education and training. Funding shall also be used to assist the VNPC with expanding capacity to address these issues through the use of software to advance data analytics.</p> <p>G. Out of this appropriation, \$805,000 the first year and \$805,000 the second year from the general fund is provided for a comprehensive adult program for sickle cell disease.</p>					
294.	Community Health Services (44000).....			\$322,671,697	\$303,690,401
	Local Dental Services (44002).....	\$3,950,748	\$3,950,748		
	Restaurant and Food Safety, Well and Septic Permitting and Other Environmental Health Services (44004).....	\$42,527,646	\$42,527,646		
	Local Family Planning Services (44005).....	\$32,376,152	\$32,376,152		
	Support for Local Management, Business, and Facilities (44009).....	\$78,554,841	\$81,416,217		
	Local Maternal and Child Health Services (44010)..	\$39,917,243	\$39,917,243		
	Local Immunization Services (44013).....	\$45,911,353	\$24,068,681		
	Local Communicable Disease Investigation, Treatment, and Control (44014).....	\$30,406,268	\$30,406,268		
	Local Personal Care Services (44015).....	\$4,706,329	\$4,706,329		

ITEM 294.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Local Chronic Disease and Prevention Control (44016).....	\$11,455,698	\$11,455,698		
Local Nutrition Services (44018).....	\$30,719,493	\$30,719,493		
Population Health (44019).....	\$2,145,926	\$2,145,926		
Fund Sources: General.....	\$124,928,907	\$127,778,727		
Special.....	\$116,731,929	\$116,743,485		
Dedicated Special Revenue.....	\$3,695,163	\$3,695,163		
Federal Trust.....	\$77,315,698	\$55,473,026		

Authority: §§ 32.1-11 through 32.1-12, 32.1-31, 32.1-163 through 32.1-176, 32.1-198 through 32.1-211, 32.1-246, and 35.1-1 through 35.1-26, Code of Virginia; Title V of the U.S. Social Security Act; and Title X of the U.S. Public Health Service Act.

A.1. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than \$425.00, for a construction permit for on-site sewage systems designed for less than 1,000 gallons per day, and alternative discharging systems not supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator.

2. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than \$350.00, for the certification letter for less than 1,000 gallons per day not supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator.

3. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than \$225.00, for a construction permit for an onsite sewage system designed for less than 1,000 gallons per day when the application is supported with certified work from a licensed onsite soil evaluator.

4. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than \$320.00, for the certification letter for less than 1,000 gallons per day supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator.

5. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than \$300.00, for a construction permit for a private well.

6. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than \$1,400.00, for a construction permit or certification letter designed for more than 1,000 gallons per day.

7. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of \$425.00, for a permit to repair an onsite sewage system or an alternative discharging system designed for less than 1,000 gallons per day not supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator. This fee shall be waived for persons with income below 200 percent of the federal poverty guidelines as established by the United States Department of Health and Human Services when the application is for a pit privy or for a repair of a failing onsite or alternative discharging sewage system.

8. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of \$225.00, for a permit to repair or voluntarily upgrade an onsite sewage system or alternative discharging system designed for less than 1,000 gallons per day supported with certified work from an onsite soil evaluator or a professional engineer. This fee shall be waived for persons with income below 200 percent of the federal poverty guidelines as established by the United States Department of Health and Human Services when the application is for a pit privy or for a repair of a failing onsite or alternative discharging sewage system.

9. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of \$150.00, to provide written authorizations pursuant to § 32.1-165 not supported with certified work from a qualified

ITEM 294.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

professional.

10. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of \$100.00, to provide written authorizations pursuant to § 32.1-165 supported with certified work from a qualified professional.

11. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of \$1,400.00, for a permit to repair or voluntarily upgrade an onsite sewage system designed for more than 1,000 gallons per day.

B. The State Health Commissioner shall appoint two manufacturers to the Advisory Committee on Sewage Handling and Disposal, representing one system installer and the Association of Onsite Soil Engineers.

C. The State Health Commissioner is authorized to develop, in consultation with the regulated entities, a hotel, campground, and summer camp plan and specification review fee, not to exceed \$40.00, a restaurant plan and specification review fee, not to exceed \$40.00, an annual hotel, campground, and summer camp permit renewal fee, not to exceed \$40.00, and an annual restaurant permit renewal fee, not to exceed \$40.00 to be collected from all establishments, except K-12 public schools, that are subject to inspection by the Department of Health pursuant to §§ 35.1-13, 35.1-14, 35.1-16, and 35.1-17, Code of Virginia. However, any such establishment that is subject to any health permit fee, application fee, inspection fee, risk assessment fee or similar fee imposed by any locality as of January 1, 2002, shall be subject to this annual permit renewal fee only to the extent that the Department of Health fee and the locally imposed fee, when combined, do not exceed the fee amount listed in this paragraph. This fee structure shall be subject to the approval of the Secretary of Health and Human Resources.

D. Pursuant to the Department of Health's Policy Implementation Manual (#07-01), individuals who participate in a local festival, fair, or other community event where food is sold, shall be exempt from the annual temporary food establishment permit fee of \$40.00 provided the event is held only one time each calendar year and the event takes place within the locality where the individual resides.

E. The State Health Commissioner shall work with public and private dental providers to develop options for delivering dental services in underserved areas, including the use of public-private partnerships in the development and staffing of facilities, the use of dental hygiene and dental students to expand services and enhance learning experiences, and the availability of reimbursement mechanisms and other public and private resources to expand services.

F.1. Out of this appropriation, \$3,000,000 the first year and \$3,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided for the purpose of expanding access to long acting reversible contraceptives (LARC). The Virginia Department of Health shall establish and manage memorandums of understanding with qualified health care providers who will provide access to LARCs to patients whose income is below 250 percent of the federal poverty level, the Title X family planning program income eligibility requirement. Providers shall be reimbursed for the insertion and removal of LARCs at Medicaid rates. As part of the pilot program, the department, in cooperation with the Department of Medical Assistance Services and stakeholders, shall develop a plan to improve awareness and utilization of the Plan First program and include outreach efforts to refer women who have a diagnosis of substance use disorder and who seek family planning services to the Plan First program or participating providers in the pilot program.

2. The Virginia Department of Health shall report on metrics to measure the effectiveness of the program such as impacts on morbidity, reduction in abortions and unplanned pregnancies, and impacts on maternal health such as an increase in the length of time between births, among others. In addition, the department shall collect data on the number of women served who also sought treatment for substance use disorder. The department shall submit a report to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Health and Human Resources,

ITEM 294.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

and the Director, Department of Planning and Budget, that describes the program, and metrics used to measure results, actual program expenditures, and projected expenditures by September 1 of each year.

3. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be made available to supplement the funding provided under paragraph F.1. of this Item to expand access to FDA-approved contraceptives, that are not long acting reversible contraceptives. The Virginia Department of Health shall establish and manage memoranda of understanding with qualified health care providers who have existing contracts pursuant to paragraph F.1. of this Item or to new ones if funding is available. Providers shall be reimbursed for the cost of the contraceptives, as provided under this paragraph, at Medicaid rates.

4. The appropriation as described under paragraphs F.1. and F.3. of this Item shall be used to expand access to both LARC and non-LARC contraceptives and the Virginia Department of Health is authorized to use funds in either paragraph to supplement the funds in the other paragraph for the purposes described.

G. Out of this appropriation, \$5,671,392 the first year and \$8,507,088 the second year from the general fund shall be provided to address revisions to the JLARC rate formula for the Cooperative Health Budget. These revisions and the changes in the local match rates shall be phased in over a three-year and shall be fully phased in by fiscal year 2024.

H.1. The Department of Health, in cooperation with the Department of Environmental Quality, shall work with the Middle Peninsula Planning District Commission to initiate a three-year pilot program to analyze an engineered septic unit that houses and treats all sewage effluent in a vertically elevated, self-contained unit suitable for areas with high water tables and flooding in Coastal Virginia. Such vertically elevated septic system, including holding tank and treatment unit, shall have no physical contact with land; shall be vertically elevated on columns, piers, or other structures that provide for the flow of surface water underneath the septic unit; shall be elevated above the storm surge and flood inundation levels; and shall be designed to meet pollution removal standards of the Department of Health and Department of Environmental Quality. The treated sewage discharge from the vertically elevated septic system may include surface, engineered wetland, or other appropriate discharge approaches that comply with regulations for alternative onsite sewage systems (12VAC5-613 et seq.). Such vertically elevated septic system shall be installed in an upland location in the Middle Peninsula outside of any designated Resource Protection Area or floodplain.

2. By December 1 of each year, the Middle Peninsula Planning District Commission shall submit a report to the Governor and General Assembly with the following information: (i) the feasibility of elevating the parts of septic systems vulnerable to rising sea levels; (ii) optimal system design, or range of designs, for vertically elevated septic systems capable of withstanding sea level rise and chronic flooding that meets effluent standards; (iii) recommendations for legal or regulatory changes, if any, to authorize the use of vertically elevated septic systems; (iv) recommendations for amending current septic system permit requirements to allow for the use of vertically elevated septic systems; (v) recommendations for financing the installation of vertically elevated septic systems; (vi) the expected date of completion of the pilot program; (vii) installation and projected average annual maintenance costs for a vertically elevated septic system over 10 years; and (viii) any other pertinent information.

I. The Virginia Department of Health shall prepare a request for funding the state share of new or escalated rent increases at local health departments and submit the request for inclusion in the Governor's introduced budget annually.

295.	Financial Assistance to Community Human Services Organizations (49200).....			\$26,932,423	\$25,015,423
	Payments to Human Services Organizations (49204)..	\$26,932,423	\$25,015,423		
	Fund Sources: General.....	\$24,532,423	\$22,615,423		
	Federal Trust.....	\$2,400,000	\$2,400,000		

Authority: § 32.1-2, Code of Virginia.

A.1. Out of this appropriation, \$832,946 the first year and \$832,946 the second year from the

ITEM 295.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>general fund and \$2,400,000 the first year and \$2,400,000 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be used to contract with Families Forward. In the event that the Families Forward changes its name; the provisions of this item shall apply to the successor organization provided that the required program purposes outlined in paragraph A.2. through A.4. are still achieved.</p>				
<p>2. The purpose of the program is to develop, expand, and operate a network of local public-private partnerships providing comprehensive care coordination, family support and preventive medical and dental services to low-income, at-risk children.</p>				
<p>3. The general fund appropriation in this Item for the Families Forward projects shall not be used for administrative costs.</p>				
<p>4. Families Forward shall continue to pursue raising funds and in-kind contributions from local communities. It is the intent of the General Assembly that the Families Forward program increases its efforts to raise funds from local communities and other private or public sources with the goal of reducing reliance on general fund appropriations in the future.</p>				
<p>5. Of this appropriation, from the amounts in paragraph A.1., \$24,679 the first year and \$24,679 the second year from the general fund shall be used to contract with CHIP of Roanoke and shall be used as matching funds to support three full-time equivalent public health nurse positions to services in the Roanoke Valley and Allegheny Highlands.</p>				
<p>B. Out of this appropriation \$53,241 the first year and \$53,241 the second year from the general fund shall be used to contract with the Alexandria Neighborhood Health Services, Inc. to promote the health of women in Alexandria, Arlington, Fairfax County, and Falls Church, to prevent illness and injury and provide early treatment for serious health conditions. The contract with Alexandria Neighborhood Health Services Inc. (ANHSI) shall require that ANHSI provide comprehensive women's health care with a focus on preventative health services and screenings to low income, uninsured women. Women's health care services shall focus on preventative screenings. Blood pressure screening and body mass index shall be performed at each visit. The organization shall pursue raising funds and in-kind contributions from the local community.</p>				
<p>C. Out of this appropriation \$5,982 the first year and \$5,982 the second year from the general fund shall be used to contract with the Louisa County Resource Council to promote, develop, and encourage activities to deliver community-based services to disadvantaged Louisa County residents. The contract with Louisa County Resource Council shall require that the council provide assistance to income-eligible residents in meeting various needs of the clients including medication assistance, outreach assistance, and medical care referrals by exploring affordable options. The council shall continue to pursue raising funds and in-kind contributions from the local community.</p>				
<p>D. Out of this appropriation, \$7,837 the first year and \$7,837 the second year from the general fund shall be used to contract with the Olde Towne Medical Center. The contract with Olde Towne Medical Center shall require that the center provide cost effective, comprehensive primary and preventive health care (including obstetrical care) and oral health care to the uninsured, Medicaid, and Medicare residents in the City of Williamsburg, James City County, and York County. The population served shall include adults and children.</p>				
<p>E.1. Out of this appropriation, \$433,750 the first year and \$433,750 the second year from the general fund shall be used to contract with the Virginia Community Healthcare Association (VCHA). The contract with VCHA shall require that the association purchase pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Community and Migrant Health Centers throughout Virginia. The uninsured patients served with these funds shall have family incomes no greater than 200 percent of the federal poverty level. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the pharmacy needs of the greatest number of low-income, uninsured persons. The Virginia Community Healthcare Association shall</p>				

ITEM 295.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.			
	2. Out of this appropriation, \$175,000 the first year and \$175,000 the second year from the general fund shall be used to contract with the Virginia Community Healthcare Association. The contract with VCHA shall require that the association expand access to care provided through community health centers.			
	3. Out of this appropriation, \$2,800,000 the first year and \$2,800,000 the second year from the general fund shall be used to contract with the Virginia Community Healthcare Association. The contract with VCHA shall require that the association support community health center operating costs for services provided to uninsured clients. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the needs of the greatest number of uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.			
	F.1. Out of this appropriation, \$1,321,400 the first year and \$1,321,400 the second year from the general fund shall be used to contract with the Virginia Association of Free and Charitable Clinics (VAFCC). The contract with VAFCC shall require that the organization purchase pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Free Clinics throughout Virginia. The amount allocated to each Free Clinic shall be determined through an allocation methodology developed by the Virginia Association of Free and Charitable Clinics. The allocation methodology shall ensure that funds are distributed such that the Free Clinics are able to serve the pharmacy needs of the greatest number of low-income, uninsured adults. The Virginia Association of Free and Charitable Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.			
	2. Out of this appropriation, \$175,000 the first year and \$175,000 the second year from the general fund shall be used to contract with the Virginia Association of Free and Charitable Clinics (VAFCC). The contract with VAFCC shall require the organization to expand access to health care services.			
	3. Out of this appropriation, \$5,300,000 the first year and \$5,300,000 the second year from the general fund shall be used to contract with the Virginia Association of Free and Charitable Clinics (VAFCC). The contract with VAFCC shall require that the organization support free clinic operating costs for services provided to uninsured clients. The amount allocated to each free clinic shall be determined through an allocation methodology developed by the Virginia Association of Free and Charitable Clinics. The allocation methodology shall ensure that funds are distributed such that the free clinics are able to serve the needs of the greatest number of uninsured persons. The Virginia Association of Free and Charitable Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.			
	G. Out of this appropriation, \$29,303 the first year and \$29,303 the second year from the general fund shall be used to contract with HealthWorks of Herndon. The contract with HealthWorks of Herndon (HWH) shall require that HWH provide treatment and prevention services, including health care services and mental health counseling, to low income and uninsured adults and children residing in the communities of Herndon, Reston, Chantilly, and Centreville in Fairfax County. These services shall include comprehensive primary health care with integrated behavioral health care to adult and children, prescription medications, diagnostic and lab testing, specialty referrals, and preventive screenings. Children's services shall include school physicals and sports physicals. Patients will also have access to oral health care through HealthWorks Dental Program.			
	H. Out of this appropriation, \$164,758 the first year and \$164,758 the second year from the general fund shall be used to contract with the Southwest Virginia Graduate Medical Education Consortium. The contract with Southwest Virginia Graduate Medical Education (GMEC) shall require GMEC to create and support medical residency preceptor sites in rural and underserved communities in Southwest Virginia.			



ITEM 295.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>I. Out of this appropriation, \$355,555 the first year and \$355,555 the second year from the general fund shall be used to contract with the regional AIDS resource and consultation centers and one local early intervention and treatment center.</p>				
<p>J. Out of this appropriation, \$57,963 the first year and \$57,963 the second year from the general fund shall be used to contract with the Arthur Ashe Health Center in Richmond. The contract with the Arthur Ashe Health Center shall require that the center provide HIV early intervention and treatment for HIV infected patients who reside within the City of Richmond.</p>				
<p>K. Out of this appropriation, \$10,663 the first year and \$10,663 the second year from the general fund shall be used to contract with the Health Brigade for AIDS related services. The contract with the Health Brigade shall require that the clinic provide financial assistance and support groups and conduct an education and outreach program for HIV positive clients in Central Virginia.</p>				
<p>L.1. Out of this appropriation, \$4,630,571 the first year and \$4,630,571 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation. The contract with the Virginia Health Care Foundation (VHCF) shall require that the general fund shall be matched with local public and private resources and shall be awarded to proposals which enhance access to primary health care for Virginia's uninsured and medically underserved residents, through innovative service delivery models. The foundation, in coordination with the Virginia Department of Health, the Area Health Education Centers program, the Joint Commission on Health Care, and other appropriate organizations, is encouraged to undertake initiatives to reduce health care workforce shortages. The foundation shall account for the expenditure of these funds by providing the Governor, the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, the State Health Commissioner, and the Chairman of the Joint Commission on Health Care with a certified audit and full report on the foundation's initiatives and results, including evaluation findings, not later than October 1 of each year for the preceding fiscal year ending June 30.</p>				
<p>2. The contract with the Virginia Health Care Foundation shall require that on or before October 1 of each year, the foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation since its inception. The report shall include certification that an amount equal to the state appropriation for the preceding fiscal year ending June 30 has been matched from private and local government sources during that fiscal year.</p>				
<p>3. Of this appropriation, from the amounts in paragraph L.1., \$125,000 the first year and \$125,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF). The contract with VHCF shall require that the general fund shall be provided to the foundation to expand the Pharmacy Connection software program to unserved or underserved regions of the Commonwealth.</p>				
<p>4. Of this appropriation, from the amounts in paragraph L.1., \$155,000 the first year and \$155,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF). The contract with VHCF shall require that the general fund shall be used to contract with the foundation for the Rx Partnership to improve access to free medications for low-income Virginians.</p>				
<p>5. Of this appropriation, from the amounts in paragraph L.1., \$2,350,000 the first year and \$2,350,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF). The contract with VHCF shall require that the general fund be provided to the foundation to increase the capacity of the Commonwealth's health safety net providers to expand services to unserved or underserved Virginians. Of this amount, (i) \$850,000 the first year and \$850,000 the second year shall be used to underwrite service expansions and/or increase the number of patients served at existing sites or at new sites, (ii) \$1,350,000 the first year and \$1,350,000 the second year shall be used for Medication Assistance Coordinators who provide outreach assistance, and (iii) \$150,000 the first year and \$150,000 the second year shall be made available for locations with existing medication assistance programs.</p>				

ITEM 295.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
M.1.	Out of this appropriation, \$1,272,313 the first year and \$1,272,313 the second year from the general fund shall be used to support the administration of the patient level data base, including the outpatient data reporting system. The department shall establish a contract for this service.			
2.	Out of this appropriation from the amounts in paragraph M.1., \$1,025,000 the first year and \$1,025,000 the second year from the general fund the second year shall be used to contract with the Virginia All Payer Claims Database.			
3.	The Virginia Department of Health shall amend its contracts with Virginia Health Information requiring the organization to develop a strategic plan to expand the Emergency Department Care Coordination Program to a statewide comprehensive health information exchange making pertinent data available to all verified providers and the state including the Virginia Department of Health, the Department of Medical Assistance Services, and the Department of Behavioral Health and Developmental Services. The plan shall address how to appropriately and securely share data in order to facilitate care, improve continuity, and reduce costly duplicate testing and procedures. The plan shall prioritize connection to the Virginia Department of Health for hospital admission data as soon as possible to contribute to accurate COVID reporting and response.			
N.	Out of this appropriation, \$402,712 the first year and \$402,712 the second year from the general fund shall be used to contract with the Health Wagon. The contract with the Health Wagon shall require the organization to provide summer outreach programs to low-income and uninsured individuals living in southwest Virginia.			
O.	Out of this appropriation, \$105,000 the first year and \$105,000 the second year from the general fund shall be used to contract with the Statewide Sickle Cell Chapters of Virginia (SSCCV). The contract with SSCCV shall require that the general fund shall be used to provide for grants to community-based programs that provide patient assistance, education, and family-centered support for individuals suffering from sickle cell disease. The SSCCV shall develop criteria for distributing these funds including specific goals and outcome measures. A report shall be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees detailing program outcomes by October 1 of each year.			
P.	Out of this appropriation, \$141,280 the first year and \$141,280 the second year from the general fund shall be used to contract with the Virginia Dental Health Foundation for the Mission of Mercy (M.O.M.) dental project. The contract with the Virginia Dental Health Foundation for the Mission of Mercy (M.O.M.) dental project shall require the Foundation to conduct Mission of Mercy (M.O.M) Projects that provide no cost dental services in identified underserved areas.			
Q.	Out of this appropriation, \$32,559 the first year and \$32,559 the second year from the general fund shall be used to contract with the Community Health Center of the Rappahannock Region to provide medical, dental, and behavioral health services to low income and/or uninsured residents in the Rappahannock region. The contract with the center shall require the center to include acute and chronic disease management services, lab and diagnostic services, medication assistance, physical examinations, diagnosis and treatment of sexually transmitted infections, immunizations, women's health services (including family planning and pap smears), preventive and restorative dental services, and behavioral health services.			
R.	Out of this appropriation, \$1,571,750 the first year and \$1,571,750 the second year from the general fund shall be used to contract with the Hampton Roads Proton Beam Therapy Institute at Hampton University, LLC. The contract with Hampton Roads Proton Beam Therapy Institute shall require that the institute support efforts for proton therapy in the treatment of cancerous tumors with fewer side effects.			
S.1.	Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund shall be provided to Special Olympics Virginia for the Special Olympics Healthy Athlete Program.			
2.	Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund shall be provided to Special Olympics Virginia for Unified Champion Schools.			

ITEM 295.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
T. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund shall be provided to contract with the Riverside Shore Memorial Hospital (RSMH) for obstetrical healthcare services. The contract shall require that the RSMH provide obstetrical services to the residents of the Eastern Shore of Virginia.				
U. Out of this appropriation, \$393,801 the first year and \$393,801 the second year from the general fund shall be provided to develop a new data collection program to address prescription drug price transparency, pursuant to the provisions of House Bill 2007, 2021 Special Session I. The department shall establish a contract for this service.				
V. Out of this appropriation, \$2,000,000 the first year from the general fund shall be used to contract with Edmarc Hospice for Children to expand pediatric hospice and palliative care program services. The contract shall include, but not be limited to implementing or expanding a telemedicine program.				
W. Out of this appropriation, \$700,289 the first year and \$700,289 the second year from the general fund shall be used to contract with the ASK Childhood Cancer Foundation to facilitate the provision of pediatric cancer support services by pediatric cancer treatment centers in Virginia.				
X. Out of this appropriation, \$225,000 from the general fund the first year shall be provided to the Southwest Virginia Health Authority.				
Y. The Virginia Department of Health shall contract with the Virginia Center for Health Innovation for actions necessary to facilitate and continue the work of the Virginia Task Force on Primary Care. The purpose of the task force is to enhance the financing, quality and delivery of primary care in the Commonwealth. The task force shall continue work on: (i) building stakeholder coalitions; (ii) advancing the use of data/communication systems; (iii) defining payment models; (iv) describing primary care infrastructure; (v) identifying markers of high value care; and (vi) promoting innovations in telehealth.				
296. Drinking Water Improvement (50800).....			\$42,071,518	\$39,511,518
Drinking Water Regulation (50801).....	\$14,110,477	\$14,610,477		
Drinking Water Construction Financing (50802).....	\$27,414,312	\$24,414,312		
Public Health Toxicology (50805).....	\$546,729	\$486,729		
Fund Sources: General.....	\$11,048,376	\$10,321,881		
Special.....	\$8,233,501	\$6,399,996		
Dedicated Special Revenue.....	\$19,539,712	\$19,539,712		
Federal Trust.....	\$3,249,929	\$3,249,929		

Authority: §§ 32.1-163 through 32.1-176.7, 32.1-246, 32.1-246.1, and 62.1-44.18 through 62.1-44.19:9, Code of Virginia; and P.L. 92-500, P.L. 93-523 and P.L. 95-217, Federal Code.

A. It is the intent of the General Assembly that the Virginia Department of Health be the agency designated to receive and manage general and nongeneral funds appropriated pursuant to the federal Safe Drinking Water Act of 1996.

B. The fee schedule for charges to community waterworks shall be adjusted to the level necessary to cover the cost of operating the Waterworks Technical Assistance Program, consistent with § 32.1-171.1, Code of Virginia, and shall not exceed \$3.00 per connection to all community waterworks.

C. Any positions necessary for the Office of Drinking Water to perform regulatory functions in dispersing federal State and Local Recovery Funds (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA) for drinking water infrastructure shall be restricted positions and shall expire at the end of the grant period.

D. Out of this appropriation, \$1,000,000 the first year and \$1,500,000 the second year from the general fund shall be provided to the Virginia Department of Health to implement a Water Sampling Verification Program. The program shall ensure sampling is valid and representative of the actual water quality and conditions at the waterworks.

ITEM 296.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>E. Out of this appropriation, \$3,000,000 the first year from the general fund is provided as state match for additional federal awards for the Drinking Water State Revolving Fund from the Infrastructure Investment and Jobs Act (P.L. 117-58).</p> <p>F. Out of this appropriation, \$1,833,505 from indirect cost recoveries the first year and \$1,833,505 from the general fund the second year is provided to cover the operational costs of the Office of Drinking Water.</p> <p>2. The Virginia Department of Health and the Department of Planning and Budget shall evaluate the budget for the Office of Drinking Water to: (i) determine the reasons behind the budget shortfall for the office beginning in fiscal year 2022; (ii) identify and explore funding opportunities in order to maximize nongeneral fund sources that can be used to support the office; (iii) analyze the office's budget to determine cost efficiencies, including consideration of merging the office with another appropriate office in the department to achieve cost savings; and (iv) report findings and recommendations on the budget shortfall, funding opportunities and cost efficiencies to the Governor, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 15, 2022.</p>				
297.	Environmental Health Hazards Control (56500).....		\$14,730,847	\$14,690,956
	State Office of Environmental Health Services (56501).....			
	\$6,075,052	\$6,035,161		
	Shellfish Sanitation (56502).....			
	\$3,391,564	\$3,391,564		
	Bedding and Upholstery Inspection (56503).....			
	\$876,622	\$876,622		
	Radiological Health and Safety Regulation (56504)....			
	\$4,387,609	\$4,387,609		
	Fund Sources: General.....			
	\$7,973,272	\$7,933,381		
	Special.....			
	\$3,353,587	\$3,353,587		
	Dedicated Special Revenue.....			
	\$2,056,969	\$2,056,969		
	Federal Trust.....			
	\$1,347,019	\$1,347,019		
<p>Authority: §§ 2.2-4002 B 16; 28.2-800 through 28.2-825; and 32.1-212 through 32.1-245, Code of Virginia.</p> <p>A. Out of this appropriation, \$12,500 the first year and \$12,500 the second year from the general fund shall be provided for the activities of the Sewage Appeals Review Board.</p> <p>B. Out of this appropriation, \$1,038,611 the first year and \$1,013,720 the second year from the general fund shall be provided to establish, operate, and develop necessary databases for a Chesapeake Bay Septic Pilot program. The pilot program, through local health departments, shall provide oversight of the septic tank pump out and inspection programs in the Eastern Shore, Middle Peninsula, and Northern Neck regions of Virginia.</p>				
298.	Emergency Preparedness (77500).....		\$34,835,757	\$34,835,757
	Emergency Preparedness and Response (77504).....			
	\$34,835,757	\$34,835,757		
	Fund Sources: Federal Trust.....			
	\$34,835,757	\$34,835,757		
<p>Authority: §§ 32.1-2, 32.1-39, and 32.1-42, Code of Virginia.</p>				
299.	Administrative and Support Services (49900).....		\$31,595,283	\$29,095,283
	General Management and Direction (49901).....			
	\$17,311,030	\$14,811,030		
	Information Technology Services (49902).....			
	\$5,209,438	\$5,209,438		
	Accounting and Budgeting Services (49903).....			
	\$4,514,063	\$4,514,063		
	Human Resources Services (49914).....			
	\$2,646,917	\$2,646,917		
	Procurement and Distribution Services (49918).....			
	\$1,913,835	\$1,913,835		
	Fund Sources: General.....			
	\$21,469,221	\$18,969,221		
	Special.....			
	\$8,516,726	\$8,516,726		
	Federal Trust.....			
	\$1,609,336	\$1,609,336		
<p>Authority: §§ 3.2-5206 through 3.2-5216, 32.1-11.3 through 32.1-23, 35.1-1 through 35.1-7, and 35.1-9 through 35.1-28, Code of Virginia.</p> <p>A. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund shall be provided for agency costs related to onboarding to ConnectVirginia,</p>				

ITEM 299.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>transition costs to convert the agency's node on ConnectVirginia to the state agency node, and provide support to other state agencies in their onboarding efforts.</p> <p>B.1. The Emergency Department Care Coordination Advisory Council (ED Council), under the department's governance and direction shall: advise the State Health Commissioner regarding the operation of, changes to, and outcome measures for the Emergency Department Care Coordination Program (EDCC) for the purpose of improving the quality of patient care services. The ED Council shall include representatives from the following, as required in the ED Council Bylaws; the Commonwealth, hospitals &amp; health systems, health plans, and providers.</p> <p>2. Neither the department nor its contractor shall be obligated to enhance or expand the program without HITECH Act funds or alternative funds.</p> <p>3. The department, in coordination with the ED Council, shall report annually to the Secretary of Health and Human Resources and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on progress, including, but not limited to: (i) the participation rate of hospitals and health systems, providers and subscribing health plans; (ii) strategies for sustaining the program and methods to continue to improve care coordination; and (iii) the impact on health care utilization and quality goals such as reducing the frequency of visits by high-volume Emergency Department utilizers and avoiding duplication of health care services.</p> <p>C.1. Inpatient hospitals shall report the admission source of any individuals meeting the criteria for voluntary or involuntary psychiatric commitment as outlined in § 16.1-338, 16.1-339, 16.1-340.1, 16.1-345, 37.2-805, 37.2-809, or 37.2-904, Code of Virginia, to the Board of Health. The Board shall collect and share any and all data regarding the admission source of individuals admitted to inpatient hospitals as a psychiatric patient, pursuant to § 32.1-276.6, Code of Virginia, with the Department of Behavioral Health and Developmental Services.</p> <p>2. The Virginia Department of Health shall promulgate these emergency regulations to become effective within 280 days or less from the enactment of this act.</p> <p>D. Notwithstanding § 32.1-73.11, Code of Virginia, the Advisory Council on Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections (PANDAS) and Pediatric Acute-onset Neuropsychiatric Syndrome (PANS), established by Chapter 466 of the 2017 Acts of Assembly, is hereby continued.</p> <p>E. The Virginia Department of Health shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15 of each year.</p> <p>F. The State Health Commissioner shall establish a task force to assist with the promulgation of regulations and the certification process of doulas, as well as to serve as an informational resource for policy related matters for the Virginia Department of Health (VDH). The task force will include private provider organizations such as Birth in Color RVA, Urban Baby Beginnings, Motherhood Collective and any other organization or agency representatives deemed appropriate by VDH.</p> <p>G. Out of this appropriation, \$2,500,000 the first year from the general fund shall be used to continue the current contract for no more than one year for an integrated e-referral system.</p> <p>H. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from nongeneral funds shall be provided to the Virginia Department of Health for central office administrative functions for the Opioid Abatement Authority.</p>				
Total for Department of Health.....			<b>\$1,227,022,682</b>	<b>\$963,310,045</b>
General Fund Positions.....	1,605.50	1,605.50		
Nongeneral Fund Positions.....	2,273.00	2,273.00		

ITEM 299.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Position Level.....	3,878.50	3,878.50		
Fund Sources: General.....	\$237,622,379	\$235,412,508		
Special.....	\$176,135,202	\$174,313,253		
Dedicated Special Revenue.....	\$114,347,526	\$114,347,526		
Federal Trust.....	\$698,917,575	\$439,236,758		

**§ 1-92. DEPARTMENT OF HEALTH PROFESSIONS (223)**

300.	Higher Education Student Financial Assistance (10800).....			\$65,000	\$65,000
	Scholarships (10810).....	\$65,000	\$65,000		
	Fund Sources: Special.....	\$65,000	\$65,000		
	Authority: § 54.1-3011.2, Chapter 30, Code of Virginia.				
301.	Regulation of Professions and Occupations (56000)...			\$37,784,871	\$38,153,945
	Technical Assistance to Regulatory Boards (56044)...	\$37,784,871	\$38,153,945		
	Fund Sources: Trust and Agency.....	\$1,450,565	\$1,450,565		
	Dedicated Special Revenue.....	\$36,334,306	\$36,703,380		

Authority: Title 54.1, Chapter 25, Code of Virginia.

A. 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.

B. Notwithstanding any other provision of this Act or any other provision of law, a pharmaceutical processor license shall permit such licensee to cultivate and manufacture out of a single establishment location, except that a cannabis establishment changing its cultivation and manufacturing location may operate at both the former and new location during the site transition process which shall last no more than the life of this Act. Prior to operating an additional cultivation and manufacturing establishment at a different location, a licensee shall be inspected by the Board of Pharmacy in accordance with this Act.

	Total for Department of Health Professions.....			<b>\$37,849,871</b>	<b>\$38,218,945</b>
	Nongeneral Fund Positions.....	288.00	294.00		
	Position Level.....	288.00	294.00		
	Fund Sources: Special.....	\$65,000	\$65,000		
	Trust and Agency.....	\$1,450,565	\$1,450,565		
	Dedicated Special Revenue.....	\$36,334,306	\$36,703,380		

**§ 1-93. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)**

302.	Pre-Trial, Trial, and Appellate Processes (32100).....			\$15,654,501	\$15,654,501
	Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107).....	\$15,654,501	\$15,654,501		
	Fund Sources: General.....	\$15,654,501	\$15,654,501		

Authority: § 37.2-809, Code of Virginia.

A. Any balance, or portion thereof, in Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107), may be transferred between Items 45, 46, 47, and 302 as needed, to address any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.

B. Out of this appropriation, payments may be made to licensed health care providers for medical screening and assessment services provided to persons with mental illness while in emergency custody pursuant to § 37.2-808, Code of Virginia.

ITEM 302.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>C. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600), Medicaid Program Services (45600), and Medical Assistance Services for Low Income Children (46600), if available, into this Item.</p>				
303.	Children's Health Insurance Program Delivery (44600).....		\$316,304,616	\$331,516,495
	Reimbursements for Medical Services Provided Under the Family Access to Medical Insurance Security Plan (44602).....		\$314,560,653	\$330,632,584
	CHIP Health Services Initiatives for Family Access to Medical Insurance Security Medical Services (44636).....		\$1,743,963	\$883,911
	Fund Sources: General.....		\$94,180,970	\$99,772,611
	Dedicated Special Revenue.....		\$14,065,627	\$14,065,627
	Federal Trust.....		\$208,058,019	\$217,678,257

Authority: Title 32.1, Chapter 13, Code of Virginia; Title XXI, Social Security Act, Federal Code.

A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium differential between: (i) 0.75 percent of the direct gross subscriber fee income derived from eligible contracts and (ii) the amount of license tax revenue generated pursuant to subdivision A 4 of § 58.1-2501 for the immediately preceding taxable year and notify the Comptroller of the Commonwealth to transfer such amounts to the Family Access to Medical Insurance Security Plan Trust Fund as established on the books of the State Comptroller.

B. As a condition of this appropriation, revenues from the Family Access to Medical Insurance Security Plan Trust Fund, shall be used to match federal funds for the Children's Health Insurance Program.

C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13, Code of Virginia, shall be enrolled and served in the program.

D. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Medicaid Program Services (45600) and Medical Assistance Services for Low Income Children (46600), if available, into this Item to be used as state match for federal Title XXI funds.

E. The Department of Medical Assistance Services shall make the monthly capitation payment to managed care organizations for the member months of each month in the first week of the subsequent month.

F. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.

G. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to offer medically necessary treatment for substance use disorder in an Institution for Mental Diseases (IMD) for individuals enrolled in FAMIS MOMS, equivalent to such

ITEM 303.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>benefits offered to pregnant women under the Medicaid state plan and 1115 substance use disorder demonstration waiver. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.</p> <p>H. The Department of Medical Assistance Services shall amend the Virginia Family Access to Medical Insurance Security (FAMIS) State Plan to allow for the payment of prenatal, labor and delivery, and postpartum care pursuant to provisions in Title XXI of the federal 2009 CHIP Reauthorization Act that includes care of all children who upon birth will be U.S. citizens, U.S. nationals, or qualified aliens. The Department shall have the authority to implement this change effective July 1, 2021, or consistent with the effective date in the State Plan Amendment approved by the Centers for Medicare and Medicaid Services (CMS), and prior to completion of any regulatory process.</p> <p>I. 1. The Department of Medical Assistance Services is authorized to amend the FAMIS MOMS and FAMIS Select demonstration waiver (No. 21-W-00058/3) for FAMIS MOMS enrollees to add coverage for dental services to align with pregnant women's coverage under Medicaid.</p> <p>2. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XXI of the Social Security Act to plan to allow enrollment for dependent children of state employees who are otherwise eligible for coverage.</p> <p>3. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such changes.</p>				
304.	Medicaid Program Services (45600).....		\$19,756,373,008	\$20,261,485,218
	Payments for Graduate Medical Education Residencies (45606).....	\$8,700,000		\$8,700,000
	Reimbursements to State-Owned Mental Health and Intellectual Disabilities Facilities (45607).....	\$53,851,250		\$61,635,858
	Reimbursements for Behavioral Health Services (45608).....	\$49,580,190		\$48,618,266
	Reimbursements for Medical Services (45609).....	\$11,183,440,208		\$11,654,367,028
	Reimbursements for Long-Term Care Services (45610).....	\$2,256,075,926		\$2,341,528,396
	Payments for Healthcare Coverage for Low-Income Uninsured Adults (45611).....	\$6,204,725,434		\$6,146,635,670
	Fund Sources: General.....	\$5,540,834,071		\$5,948,390,913
	Dedicated Special Revenue.....	\$1,658,810,460		\$1,691,933,452
	Federal Trust.....	\$12,556,728,477		\$12,621,160,853
<p>Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Title XIX, Social Security Act, Federal Code.</p> <p>A. Out of this appropriation, \$26,925,625 the first year and \$30,817,929 the second year from the general fund and \$26,925,625 the first year and \$30,817,929 the second year from the federal trust fund is provided for reimbursement to the institutions within the Department of Behavioral Health and Developmental Services.</p> <p>B.1. Included in this appropriation is \$2,032,933 the first year and \$3,689,923 the second year from the general fund and \$21,221,692 the first year and \$22,878,682 the second year from nongeneral funds to reimburse the Virginia Commonwealth University Health System for indigent health care costs as reported by the hospital and adjusted by the department for indigent care savings related to Medicaid expansion. This funding is composed of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.</p> <p>2. Included in this appropriation is \$32,489,625 the first year and \$35,204,906 the second year from the general fund and \$47,204,403 the first year and \$49,919,684 the second year from nongeneral funds to reimburse the University of Virginia Health System for indigent health</p>				



ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>care costs as reported by the hospital and adjusted by the department for indigent care savings related to Medicaid expansion. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.</p>				
<p>3. The general fund amounts for the state teaching hospitals have been reduced to mirror the general fund impact of reduced and no inflation for inpatient services in prior years. It also includes reductions associated with prior year indigent care reductions. However, the nongeneral funds are appropriated. In order to receive the nongeneral funds in excess of the amount of the general fund appropriated, the health systems shall certify the public expenditures.</p>				
<p>4. The Department of Medical Assistance Service shall have the authority to increase Medicaid payments for Type One hospitals and physicians consistent with the appropriations to compensate for limits on disproportionate share hospital (DSH) payments to Type One hospitals that the department would otherwise make. In particular, the department shall have the authority to amend the State Plan for Medical Assistance to increase physician supplemental payments for physician practice plans affiliated with Type One hospitals up to the average commercial rate as demonstrated by University of Virginia Health System and Virginia Commonwealth University Health System, to change reimbursement for Graduate Medical Education to cover costs for Type One hospitals, to case mix adjust the formula for indirect medical education reimbursement for HMO discharges for Type One hospitals and to increase the adjustment factor for Type One hospitals to 1.0. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.</p>				
<p>5. Effective July 1, 2022, any hospitals acquired by or that become fully-owned by designated Type One hospitals shall be considered Type Two facilities for reimbursement including, but not limited to: Indirect Medical Education payments, Graduate Medical Education Payments, Direct Medical Education payments, Disproportionate Share Hospital payments, hospital rate-setting purposes, aggregated cost settlements, and physician supplemental payments. Facilities acquired prior to July 1, 2022, by Type One hospitals shall continue to be designated as Type One hospitals for reimbursement purposes.</p>				
<p>C.1. The estimated revenue for the Virginia Health Care Fund is \$626,102,702 the first year and \$653,561,390 the second year, to be used pursuant to the uses stated in § 32.1-367, Code of Virginia.</p>				
<p>2. Notwithstanding any other provision of law, revenues deposited to the Virginia Health Care Fund shall only be used as the state share of Medicaid unless specifically authorized by this Act.</p>				
<p>3. Notwithstanding § 32.1-366, Code of Virginia, the State Comptroller shall deposit 41.5 percent of the Commonwealth's allocation of the Master Settlement Agreement with tobacco product manufacturers, as defined in § 3.2-3100, Code of Virginia, to the Virginia Health Care Fund.</p>				
<p>4. The state share, not including hospital assessment dollars, of any repayment by managed care organizations resulting from exceeding their profit caps for not meeting the medical loss ratios pursuant to their contracts with the Department of Medical Assistance Services, shall be deposited to the Health Care Fund.</p>				
<p>D. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the</p>				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.			
	<p>E.1. At least 45 days prior to the submission of any State Plan or waiver amendment or renewal of such, to the Centers for Medicare and Medicaid Services (CMS) or change in the contracts with managed care organizations (MCO) that may impact the capitation rates, the Department of Medical Assistance Services (DMAS) shall provide written notification to the Director, Department of Planning and Budget as to the purpose of such change. This notice shall also assess whether the amendment will require any future state regulatory action or expenditure beyond that which is appropriated in this Act. If the Department of Planning and Budget, after review of the proposed change, determines that it may likely result in a material fiscal impact on the general fund, for which no legislative appropriation has been provided, then the Department of Medical Assistance Services shall delay the proposed change until the General Assembly authorizes such action and notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of such action.</p> <p>2. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to include modifications to the Cardinal Care Managed Care Contract as necessary to implement actions specifically authorized through language included in this Act.</p> <p>3. The department shall track and report on compliance with NCQA response time standards for each MCO, broken down by service type. Such tracking shall include: (i) How often total response time, from initial submittal until service authorization or denial, exceeds the NCQA standards; and (ii) How often appeals are filed, and of those, how often are services subsequently approved and how often they are denied. The department shall publish the data on these items on a quarterly basis to the department's website.</p> <p>4. The Department of Medical Assistance Services shall modify its contracts with managed care organizations to require annual reporting with regard to Medicaid Community Mental Health Rehabilitation Services on: (i) the number of providers in their network and their geographic locations; (ii) the total number of provider terminations by year since fiscal year 2018 and the number terminated with and without cause; (iii) the localities the terminated providers served; and (iv) the number of Medicaid members the providers were serving prior to termination of their provider contract. The department shall report this data annually, not later than November 1, to the Joint Subcommittee for Health and Human Resources Oversight.</p> <p>5. Cardinal Care Managed Care (formerly CCC Plus) plans shall upgrade their Medicare Dual Special Needs Plans (D-SNPs) to Fully Integrated Dual Eligible Special Needs Plans (FIDE-SNPS), unless otherwise prohibited to do so by federal rule.</p> <p>6. The Department of Medical Assistance Services shall amend the managed care contract(s) effective July 1, 2022 to create a blended rate model to merge capitation rates for those with third-party liability and those with no third party liability. The rate model shall be developed in a rate neutral and actuarial sound manner during the annual capitation calculation process. This change is subject to CMS rate approval.</p> <p>F.1. The Director, Department of Medical Assistance Services shall seek the necessary waivers from the United States Department of Health and Human Services to authorize the Commonwealth to cover health care services and delivery systems, as may be permitted by Title XIX of the Social Security Act, which may provide less expensive alternatives to the State Plan for Medical Assistance.</p> <p>2. At least 30 days prior to the submission of an application for any new waiver of Title XIX or Title XXI of the Social Security Act, the Department of Medical Assistance Services shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees of such pending application and provide information on the purpose and justification for the waiver along with any fiscal impact. If the department receives an official letter from either Chairmen raising an objection about the waiver during the 30-day period, the department shall not submit the waiver application and shall request authority for such waiver as part of the normal legislative or budgetary process. If the department receives no objection, then the application may be submitted. Any waiver specifically authorized elsewhere in this Item is not subject to this provision. Waiver renewals are not subject to the provisions of this paragraph.</p>			

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>3. The director shall promulgate such regulations as may be necessary to implement those programs which may be permitted by Titles XIX and XXI of the Social Security Act, in conformance with all requirements of the Administrative Process Act.</p>				
<p>G. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600) and Medical Assistance Services for Low Income Children (46600), if available, into this Item to be used as state match for federal Title XIX funds.</p>				
<p>H. Notwithstanding any other provision of law, any unexpended general fund appropriation remaining in this Item on the last day of each fiscal year shall revert to the general fund and shall not be reappropriated in the following fiscal year.</p>				
<p>I. It is the intent of the General Assembly that the medically needy income limits for the Medicaid program are adjusted annually to account for changes in the Consumer Price Index.</p>				
<p>J.1.a. As of July 1, 2021, the Community Living (CL) waiver authorizes 12,006 slots.</p>				
<p>b. As of July 1, 2021, the Family and Individuals Support (FIS) waiver authorizes 4,533 slots.</p>				
<p>c. As of July 1, 2021, the Building Independence (BI) waiver authorizes 400 slots.</p>				
<p>2. Notwithstanding Chapters 228 and 303 of the 2009 Virginia Acts of Assembly and §32.1-323.2 of the Code of Virginia, the Department of Medical Assistance Services shall not add any slots to the Intellectual Disabilities Medicaid Waiver or the Individual and Family Developmental Disabilities and Support Medicaid Waiver other than those slots authorized specifically to support the Money Follows the Person Demonstration, individuals who are exiting state institutions, any slots authorized under Chapters 724 and 729 of the 2011 Virginia Acts of Assembly or §37.2-319, Code of Virginia, or authorized elsewhere in this Act.</p>				
<p>3. Upon approval by the Centers for Medicare and Medicaid Services of the application for renewal of the CL, FIS and BI waivers, expeditious implementation of any revisions shall be deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process Act. Therefore, to meet this emergency situation, the Department of Medical Assistance Services shall promulgate emergency regulations to implement the provisions of this Act.</p>				
<p>4.a. The Department of Medical Assistance Services (DMAS) shall amend the CL waiver to add 100 slots effective July 1, 2023. An amount estimated at \$3,798,050 the second year from the general fund and \$3,798,050 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots.</p>				
<p>b. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to add 500 slots effective July 1, 2023. An amount estimated at \$9,036,000 the second year from the general fund and \$9,036,000 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots.</p>				
<p>c. The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall separately track all costs associated with the additional slots added in paragraphs J.4.a. and J.4.b. above. By December 1 of each year, the department shall report this data to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget.</p>				
<p>K. The Department of Medical Assistance Services shall not require dentists who agree to participate in the delivery of Medicaid pediatric dental care services, or services provided to enrollees in the Family Access to Medical Insurance Security (FAMIS) Plan or any variation of FAMIS, to also deliver services to subscribers enrolled in commercial plans of the managed care vendor, unless the dentist is a willing participant in the commercial managed care plan.</p>				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
L. The Department of Medical Assistance Services shall implement continued enhancements to the drug utilization review (DUR) program. The department shall continue the Pharmacy Liaison Committee and the DUR Board. The department shall continue to work with the Pharmacy Liaison Committee, meeting at least semi-annually, to implement initiatives for the promotion of cost-effective services delivery as may be appropriate. The department shall solicit input from the Pharmacy Liaison Committee regarding pharmacy provisions in the development and enforcement of all managed care contracts. The Pharmacy Liaison Committee shall include a representative from the Virginia Community Healthcare Association to represent pharmacy operations and issues at federally qualified health centers in Virginia. The department shall report on the Pharmacy Liaison Committee's and the DUR Board's activities to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Department of Planning and Budget no later than December 15 each year of the biennium.				
M.1. The Department of Medical Assistance Services shall develop and pursue cost saving strategies internally and with the cooperation of the Department of Social Services, Virginia Department of Health, Office of the Attorney General, Children's Services Act program, Department of Education, Department of Juvenile Justice, Department of Behavioral Health and Developmental Services, Department for Aging and Rehabilitative Services, Department of the Treasury, University of Virginia Health System, Virginia Commonwealth University Health System Authority, Department of Corrections, federally qualified health centers, local health departments, local school divisions, community service boards, local hospitals, and local governments, that focus on optimizing Medicaid claims and cost recoveries. Any revenues generated through these activities shall be transferred to the Virginia Health Care Fund to be used for the purposes specified in this Item.				
2. The Department of Medical Assistance Services shall retain the savings necessary to reimburse a vendor for its efforts to implement paragraph M.1. of this Item. However, prior to reimbursement, the department shall identify for the Secretary of Health and Human Resources each of the vendor's revenue maximization efforts and the manner in which each vendor would be reimbursed. No reimbursement shall be made to the vendor without the prior approval of the above plan by the Secretary.				
N. The Department of Medical Assistance Services shall have the authority to pay contingency fee contractors, engaged in cost recovery activities, from the recoveries that are generated by those activities. All recoveries from these contractors shall be deposited to a special fund. After payment of the contingency fee any prior year recoveries shall be transferred to the Virginia Health Care Fund. The Director, Department of Medical Assistance Services, shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees the increase in recoveries associated with this program as well as the areas of audit targeted by contractors by November 1 each year.				
O. The Department of Medical Assistance Services in cooperation with the State Executive Council, shall provide semi-annual training to local Children's Services Act teams on the procedures for use of Medicaid for residential treatment and treatment foster care services, including, but not limited to, procedures for determining eligibility, billing, reimbursement, and related reporting requirements. The department shall include in this training information on the proper utilization of inpatient and outpatient mental health services as covered by the Medicaid State Plan.				
P.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical Assistance Services, in consultation with the Department of Behavioral Health and Developmental Services, shall amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a Preferred Drug List. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.				
2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the development and ongoing administration of the Preferred Drug List program. The Pharmacy and Therapeutics Committee shall be composed of 8 to 12 members, including the Commissioner, Department of Behavioral Health and Developmental Services, or his designee. Other members shall be selected or approved by the department. The membership shall include a ratio of physicians to pharmacists of 2:1 and the department shall ensure that at least one-half of the physicians and pharmacists are either direct providers or are employed				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

with organizations that serve recipients for all segments of the Medicaid population. Physicians on the committee shall be licensed in Virginia, one of whom shall be a psychiatrist, and one of whom specializes in care for the aging. Pharmacists on the committee shall be licensed in Virginia, one of whom shall have clinical expertise in mental health drugs, and one of whom has clinical expertise in community-based mental health treatment. The Pharmacy and Therapeutics Committee shall recommend to the department (i) which therapeutic classes of drugs should be subject to the Preferred Drug List program and prior authorization requirements; (ii) specific drugs within each therapeutic class to be included on the preferred drug list; (iii) appropriate exclusions for medications, including atypical anti-psychotics, used for the treatment of serious mental illnesses such as bi-polar disorders, schizophrenia, and depression; (iv) appropriate exclusions for medications used for the treatment of brain disorders, cancer and HIV-related conditions; (v) appropriate exclusions for therapeutic classes in which there is only one drug in the therapeutic class or there is very low utilization, or for which it is not cost-effective to include in the Preferred Drug List program; and (vi) appropriate grandfather clauses when prior authorization would interfere with established complex drug regimens that have proven to be clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective.

b. The Pharmacy and Therapeutics Committee shall schedule meetings at least semi-annually and may meet at other times at the discretion of the chairperson and members. At the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class subject to the Preferred Drug List that is newly approved by the Federal Food and Drug Administration, provided there is at least thirty (30) days notice of such approval prior to the date of the quarterly meeting.

3. The department shall establish a process for acting on the recommendations made by the Pharmacy and Therapeutics Committee, including documentation of any decisions which deviate from the recommendations of the committee.

4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-hour emergency supply of the prescribed drug when requested by a physician and a dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization decisions to be made within 24 hours and timely notification of the recipient and/or the prescribing physician of any delays or negative decisions; (iii) an expedited review process of denials by the department; and (iv) consumer and provider education, training and information regarding the Preferred Drug List prior to implementation, and ongoing communications to include computer access to information and multilingual material.

5. The Preferred Drug List program shall generate savings as determined by the department that are net of any administrative expenses to implement and administer the program.

6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this Act. With respect to such State Plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code of Virginia, shall not apply. In addition, the department shall work with the Department of Behavioral Health and Development Services to consider utilizing a Preferred Drug List program for its non-Medicaid clients.

7. The Department of Medical Assistance Services shall (i) continually review utilization of behavioral health medications under the State Medicaid Program for Medicaid recipients; and (ii) ensure appropriate use of these medications according to federal Food and Drug Administration (FDA) approved indications and dosage levels. The department may also require retrospective clinical justification according to FDA approved indications and dosage levels for the use of multiple behavioral health drugs for a Medicaid patient. For individuals 18 years of age and younger who are prescribed three or more behavioral health drugs, the department may implement clinical edits that target inefficient, ineffective, or potentially harmful prescribing patterns in accordance with FDA-approved indications and dosage levels.

8. The Department of Medical Assistance Services shall ensure that in the process of

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the value of including those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems.				
Q.1. The Department of Medical Assistance Services may amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a specialty drug program. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, the Pharmacy Liaison Committee, and others as appropriate.				
2. In developing the specialty drug program to implement appropriate care management and control drug expenditures, the department shall contract with a vendor who will develop a methodology for the reimbursement and utilization through appropriate case management of specialty drugs and distribute the list of specialty drug rates, authorized drugs and utilization guidelines to medical and pharmacy providers in a timely manner prior to the implementation of the specialty drug program and publish the same on the department's website.				
3. In the event that the Department of Medical Assistance Services contracts with a vendor, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.				
4. The department shall: (i) review, update and publish the list of authorized specialty drugs, utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to revise the list or modify specialty drug program utilization guidelines and rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow dispensing or prescribing providers to contest the listed specialty drugs and rates.				
5. The department shall have authority to enact emergency regulations under § 2.2-4011 of the Administrative Process Act to effect these provisions.				
R.1. The Department of Medical Assistance Services shall reimburse school divisions who sign an agreement to provide administrative support to the Medicaid program and who provide documentation of administrative expenses related to the Medicaid program 50 percent of the Federal Financial Participation by the department.				
2. The Department of Medical Assistance Services shall retain five percent of the Federal Financial Participation for reimbursement to school divisions for medical and transportation services.				
3. The Department shall amend the State Plan for Medical Assistance to allow payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the State Plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.				
S. In the event that the Department of Medical Assistance Services decides to contract for pharmaceutical benefit management services to administer, develop, manage, or implement Medicaid pharmacy benefits, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

T. The Department of Medical Assistance Services, in cooperation with the Department of Social Services' Division of Child Support Enforcement (DSCE), shall identify and report third party coverage where a medical support order has required a custodial or noncustodial parent to enroll a child in a health insurance plan. The Department of Medical Assistance Services shall also report to the DCSE third party information that has been identified through their third party identification processes for children handled by DCSE.

U.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying that an overpayment for medical assistance services has been made to a provider, the Director, Department of Medical Assistance Services shall notify the provider of the amount of the overpayment. Such notification of overpayment shall be issued within the earlier of (i) four years after payment of the claim or other payment request, or (ii) four years after filing by the provider of the complete cost report as defined in the Department of Medical Assistance Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost report as defined in the Department of Medical Assistance Services' regulations subsequent to sale of the facility or termination of the provider.

2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the director shall issue an informal fact-finding conference decision concerning provider reimbursement in accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of Virginia, and applicable federal law. The informal fact-finding conference decision shall be issued within 180 days of the receipt of the appeal request, except as provided herein. If the agency does not render an informal fact-finding conference decision within 180 days of the receipt of the appeal request or, in the case of a joint agreement to stay the appeal decision as detailed below, within the time remaining after the stay expires and the appeal timeframes resume, the decision is deemed to be in favor of the provider. An appeal of the director's informal fact-finding conference decision concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code of Virginia. The Department of Medical Assistance Services and the provider may jointly agree to stay the deadline for the informal appeal decision or for the formal appeal recommended decision of the Hearing Officer for a period of up to sixty (60) days to facilitate settlement discussions. If the parties reach a resolution as reflected by a written settlement agreement within the sixty-day period, then the stay shall be extended for such additional time as may be necessary for review and approval of the settlement agreement in accordance § 2.2-514 of the Code of Virginia. Once a final agency case decision has been made, the director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the informal fact-finding conference decision or the final agency case decision. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency case decision becomes final.

V.1. The Department of Medical Assistance Services shall delay the last quarterly payment of certain quarterly amounts paid to hospitals, from the end of each state fiscal year to the first quarter of the following year. Quarterly payments that shall be delayed from each June to each July shall be Disproportionate Share Hospital payments, Indirect Medical Education payments, and Direct Medical Education payments. The department shall have the authority to implement this reimbursement change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

2. The Department of Medical Assistance Services shall make the monthly capitation payment to managed care organizations for the member months of each month in the first week of the subsequent month. The department shall have the authority to implement this reimbursement schedule change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
3. In every June, the remittance that would normally be paid to providers on the last remittance date of the state fiscal year shall be delayed one week longer than is normally the practice. This change shall apply to the remittances of Medicaid and FAMIS providers. This change does not apply to providers who are paid a per-month capitation payment. The department shall have the authority to implement this reimbursement change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.				
W. The Department of Medical Assistance Services shall impose an assessment equal to 6.0 percent of revenue on all ICF-ID providers. The department shall determine procedures for collecting the assessment, including penalties for non-compliance. The department shall have the authority to adjust interim rates to cover new Medicaid costs as a result of this assessment.				
X.1. Effective July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to revise per diem rates paid to psychiatric residential treatment facilities (PRTF) using the provider's audited cost per day from the facility's cost report for provider fiscal years ending in state fiscal year 2018. New Virginia-based residential psychiatric facilities must submit proforma cost report data, which will be used to set the initial per diem rate for up to two years. After this period, the department shall establish a per diem rate based on an audited cost report for a 12-month period within the first two years of operation. Providers that do not submit cost reports shall be paid at 75% of the established rate ceiling. If necessary to enroll out-of-state providers for network adequacy, the department shall negotiate rates. If there is sufficient utilization, the department may require out-of-state providers to submit a cost report to establish a per diem rate. In-state and out-of-state provider per diem rates shall be subject to a ceiling based on the statewide weighted average cost per day from fiscal year 2018 cost reports. The department shall have the authority to implement these changes effective July 1, 2021, and prior to the completion of any regulatory process undertaken in order to effect such change.				
2. The Department of Medical Assistance Services shall have the authority to establish rebasing of PRTF rates every three years. The first rebasing of rates shall take effect July 1, 2023. All PRTF and Addiction and Rehabilitation Treatment Services (ARTS) providers who offer qualifying services under 12VAC30-70-418(C) shall be required to submit cost reports as a part of rebasing. Out of state providers with more than 1,500 paid days for Virginia Medicaid members in the most recently completed state fiscal year shall also be required to submit a cost report. A rate ceiling shall be established based on a statewide weighted average cost per day. Rate ceilings shall be established independently for PRTFs and participating ARTS residential services. The department shall have the authority to implement these changes effective July 1, 2022 and prior to the completion of any regulatory process to effect such change.				
3. DMAS shall also establish inflation increases for each non-rebasing fiscal year for both PRTF and qualifying ARTS providers. Inflation rates shall be tied to the Nursing Facility Moving Average as established by IHS Markit (or its successor). The most recent four quarters will be averaged to create the PRTF inflation rate. The department shall have the authority to implement these changes effective July 1, 2023, and prior to the completion of any regulatory process to effect such change.				
4. Effective July 1, 2022, the department shall adjust PRTF rates by 8.89% to account for inflation since the last audited cost report of fiscal year 2018. The rate ceiling shall increase to \$460.89 per day. The department shall have the authority to implement these changes effective July 1, 2022, and prior to the completion of any regulatory process to effect such change.				
Y. The Department of Medical Assistance Services shall seek federal authority through the necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to merge the Commonwealth Coordinated Care Plus and Medallion 4.0 managed care programs, effective July 1, 2022, into a single, streamlined managed care program that links seamlessly with the fee-for-service program, ensuring an efficient and well-coordinated Virginia Medicaid delivery system that provides high-quality care to its members and adds value for providers and the Commonwealth. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process				



ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

undertaken in order to effect such change.

Z. The Department of Medical Assistance Services (DMAS) shall have the authority to amend the State Plan for Medical Assistance to enroll and reimburse freestanding birthing centers accredited by the Commission for the Accreditation of Birthing Centers. Reimbursement shall be based on the Enhanced Ambulatory Patient Group methodology applied in a manner similar to the reimbursement methodology for ambulatory surgery centers. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

AA. Effective July 1, 2013, the Department of Medical Assistance Services shall establish a Medicaid Physician and Managed Care Liaison Committee including, but not limited to, representatives from the following organizations: the Virginia Academy of Family Physicians; the American Academy of Pediatricians – Virginia Chapter; the Virginia College of Emergency Physicians; the American College of Obstetrics and Gynecology – Virginia Section; Virginia Chapter, American College of Radiology; the Psychiatric Society of Virginia; the Virginia Medical Group Management Association; and the Medical Society of Virginia. The committee shall also include representatives from each of the department's contracted managed care organizations and a representative from the Virginia Association of Health Plans. The committee will work with the department to investigate the implementation of quality, cost-effective health care initiatives, to identify means to increase provider participation in the Medicaid program, to remove administrative obstacles to quality, cost-effective patient care, and to address other matters as raised by the department or members of the committee. The committee shall establish an Emergency Department Care Coordination work group comprised of representatives from the committee, including the Virginia College of Emergency Physicians, the Medical Society of Virginia, the Virginia Hospital and Healthcare Association, the Virginia Academy of Family Physicians and the Virginia Association of Health Plans to review the following issues: (i) how to improve coordination of care across provider types of Medicaid "super utilizers"; (ii) the impact of primary care provider incentive funding on improved interoperability between hospital and provider systems; and (iii) methods for formalizing a statewide emergency department collaboration to improve care and treatment of Medicaid recipients and increase cost efficiency in the Medicaid program, including recognized best practices for emergency departments. The committee shall meet semi-annually, or more frequently if requested by the department or members of the committee. The department, in cooperation with the committee, shall report on the committee's activities annually to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Department of Planning and Budget no later than October 1 each year.

BB.1. The Department of Medical Assistance Services shall seek federal authority through any necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to implement a comprehensive value-driven, market-based reform of the Virginia Medicaid/FAMIS programs.

2. The department is authorized to contract with qualified health plans to offer recipients a Medicaid benefit package adhering to these principles. This reformed service delivery model shall be mandatory, to the extent allowed under the relevant authority granted by the federal government and shall, at a minimum, include (i) limited high-performing provider networks and medical/health homes; (ii) financial incentives for high quality outcomes and alternative payment methods; (iii) improvements to encounter data submission, reporting, and oversight; (iv) standardization of administrative and other processes for providers; and (v) support of the health information exchange.

3.a. Notwithstanding § 30-347, Code of Virginia, or any other provision of law, the Department of Medical Assistance Services shall have the authority to (1) amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act (PPACA) and (2) begin the process of implementing a § 1115 demonstration project to transform the Medicaid program for newly eligible individuals and eligible individuals enrolled in the

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
existing Medicaid program. DMAS shall submit the § 1115 demonstration waiver application to the Centers for Medicare and Medicaid Services (CMS) for approval. The department shall provide updates on the progress of the State Plan amendments and demonstration waiver applications to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, or their designees, upon request, and provide for participation in discussions with CMS staff. The department shall respond to all requests for information from CMS on State Plan amendments and demonstration waiver applications in a timely manner.				
b. The demonstration project shall include the following elements in the design: The Department of Medical Assistance Services shall develop a supportive employment and housing benefit targeted to high risk Medicaid beneficiaries with mental illness, substance use disorder, or other complex, chronic conditions who need intensive, ongoing support to obtain and maintain employment and stable housing.				
c. The department shall have the authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment date of this Act.				
4. In the event that the increased federal medical assistance percentages for newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA are modified through federal law or regulation from the methodology in effect on January 1, 2014, resulting in a reduction in federal medical assistance as determined by the department in consultation with the Department of Planning and Budget, the Department of Medical Assistance Services shall disenroll and eliminate coverage for individuals who obtained coverage through 42 U.S.C. § 1396d(y)(1) [2010] of the PPACA. The disenrollment process shall include written notification to affected Medicaid beneficiaries, Medicaid managed care plans, and other providers that coverage will cease as soon as allowable under federal law following the date the department is notified of a reduction in Federal Medical Assistance Percentage.				
CC. The Disproportionate Share Hospital (DSH) per diem for Type One hospitals shall be 17 times the DSH per diem for Type Two hospitals. The department shall have the authority to implement these reimbursement changes effective July 1, 2014, and prior to completion of any regulatory process in order to effect such changes.				
DD.1.a. There is hereby appropriated sum-sufficient nongeneral funds for the Department of Medical Assistance Services (DMAS) to pay the state share of supplemental payments for qualifying private hospital partners of Type One hospitals (consisting of state-owned teaching hospitals) as provided in the State Plan for Medical Assistance Services. Qualifying private hospitals shall consist of any hospital currently enrolled as a Virginia Medicaid provider and owned or operated by a private entity in which a Type One hospital has a non-majority interest. The supplemental payments shall be based upon the reimbursement methodology established for such payments in Attachments 4.19-A and 4.19-B of the State Plan for Medical Assistance Services. DMAS shall enter into a transfer agreement with any Type One hospital whose private hospital partner qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments to the private hospital partner. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by the Centers for Medicare and Medicaid Services (CMS) and prior to completion of any regulatory process in order to effect such changes.				
b. The department shall adjust capitation payments to Medicaid managed care organizations for the purpose of securing access to Medicaid hospital services for the qualifying private hospital partners of Type One hospitals (consisting of state-owned teaching hospitals). The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments and provider payment requirements. DMAS shall enter into a transfer agreement with any Type One hospital whose private hospital partner qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments to the private hospital partner. The department shall have the authority to implement these reimbursement changes consistent with the effective date approved by the Centers for Medicare and Medicaid Services (CMS). No payment shall be made without approval from CMS.				
2.a. The Department of Medical Assistance Services shall promulgate regulations to make supplemental payments to Medicaid physician providers with a medical school located in				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

Eastern Virginia that is a political subdivision of the Commonwealth. The amount of the supplemental payment shall be based on the difference between the average commercial rate approved by CMS and the payments otherwise made to physicians. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to completion of any regulatory process in order to effect such changes.

b. The department shall increase payments to Medicaid managed care organizations for the purpose of securing access to Medicaid physician services in Eastern Virginia, through higher rates to physicians affiliated with a medical school located in Eastern Virginia that is a political subdivision of the Commonwealth subject to applicable limits. The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments, and provider payment requirements, subject to approval by CMS. No payment shall be made without approval from CMS.

c. Funding for the state share for these Medicaid payments is authorized in Item 247.

3.a. The Department of Medical Assistance Services (DMAS) shall have the authority to amend the State Plan for Medical Assistance Services (State Plan) to implement a supplemental Medicaid payment for local government-owned nursing homes. The total supplemental Medicaid payment for local government-owned nursing homes shall be based on the difference between the Upper Payment Limit of 42 CFR §447.272 as approved by CMS and all other Medicaid payments subject to such limit made to such nursing homes. There is hereby appropriated sum-sufficient funds for DMAS to pay the state share of the supplemental Medicaid payment hereunder. However, DMAS shall not submit such State Plan amendment to CMS until it has entered into an intergovernmental agreement with eligible local government-owned nursing homes or the local government itself which requires them to transfer funds to DMAS for use as the state share for the supplemental Medicaid payment each nursing home is entitled to and to represent that each has the authority to transfer funds to DMAS and that the funds used will comply with federal law for use as the state share for the supplemental Medicaid payment. If a local government-owned nursing home or the local government itself is unable to comply with the intergovernmental agreement, DMAS shall have the authority to modify the State Plan. The department shall have the authority to implement the reimbursement change consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change.

b. If by June 30, 2017, the Department of Medical Assistance Services has not secured approval from the Centers for Medicare and Medicaid Services to use a minimum fee schedule pursuant to 42 C.F.R. § 438.6(c)(1)(iii) for local government-owned nursing homes participating in Commonwealth Coordinated Care Plus (CCC Plus) at the same level as and in lieu of the supplemental Medicaid payments authorized in Section XX.3.a., then DMAS shall: (i) exclude Medicaid recipients who elect to receive nursing home services in local government-owned nursing homes from CCC Plus; (ii) pay for such excluded recipient's nursing home services on a fee-for-service basis, including the related supplemental Medicaid payments as authorized herein; and (iii) prohibit CCC Plus contracted health plans from in any way limiting Medicaid recipients from electing to receive nursing home services from local government-owned nursing homes. The department may include in CCC Plus Medicaid recipients who elect to receive nursing home services in local government-owned nursing homes in the future when it has secured federal CMS approval to use a minimum fee schedule as described above.

4. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance Services to implement a supplemental payment for clinic services furnished by the Virginia Department of Health (VDH) effective July 1, 2015. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Medicaid payments. VDH may transfer general fund to the department from funds already appropriated to VDH to cover the non-federal share of the Medicaid payments. The department shall have the authority to implement the reimbursement change effective July 1, 2015, and prior to the completion of any regulatory process undertaken in order to effect such changes.

5. The Department of Medical Assistance Services shall amend the State Plan for Medical

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Assistance to increase the supplemental physician payments for physicians employed at a freestanding children's hospital serving children in Planning District 8 with more than 50 percent Medicaid inpatient utilization in fiscal year 2014 to the maximum allowed by the Centers for Medicare and Medicaid Services within the limit of the appropriation provided for this purpose. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Virginia Medicaid fee-for-service payments. The department shall have the authority to implement these reimbursement changes effective July 1, 2016, and prior to the completion of any regulatory process undertaken in order to effect such change.</p> <p>6.a. The Department of Medical Assistance Services shall promulgate regulations to make supplemental Medicaid payments to the primary teaching hospitals affiliated with a Liaison Committee on Medical Education (LCME) accredited medical school located in Planning District 23 that is a political subdivision of the Commonwealth and an LCME accredited medical school located in Planning District 5 that has a partnership with a public university. The amount of the supplemental payment shall be based on the reimbursement methodology established for such payments in Attachments 4.19-A and 4.19-B of the State Plan for Medical Assistance and/or the department's contracts with managed care organizations. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment or the managed care contracts approved by the Centers for Medicare and Medicaid Services (CMS) and prior to completion of any regulatory process in order to effect such changes. No payment shall be made without approval from CMS.</p> <p>b. Funding for the state share for these Medicaid payments is authorized in Item 247 and Item 4-5.03.</p> <p>c. Payments authorized in this subsection shall sunset after the effective date of a statewide supplemental payment for private acute care hospitals authorized in Item 3-5.16. For purposes of the upper payment limit, the department shall prorate the upper payment limit if the sunset date is mid-fiscal year. The department shall have the authority to implement this change prior to the completion of any regulatory process undertaken in order to effect such change.</p> <p>7.a. The department shall amend the State plan for Medical Assistance to implement a supplemental inpatient and outpatient payment for Chesapeake Regional Hospital based on the difference between reimbursement with rates using an adjustment factor of 100% minus current authorized reimbursement subject to the inpatient and outpatient Upper Payment Limits for non-state government owned hospitals, and for managed care claims based on the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims for non-state government hospitals and the maximum managed care directed payment supported by the department's calculations and allowed by CMS, subject to CMS approval under 42 C.F.R. section 438.6(c). The department shall include in its contracts with managed care organizations a percentage increase for Chesapeake Regional Hospital consistent with the approved managed care directed percentage increase. The department shall adjust capitation payments to Medicaid managed care organizations to fund this percentage increase. Both the contract changes and capitation rate adjustments shall be compliant with 42 C.F.R. 438.6(c)(1)(iii) and subject to CMS approval.</p> <p>b. The department shall also amend the State Plan for Medical Assistance to implement supplemental physician payments for practice plans employed by or under contract with Chesapeake Regional Hospital to the maximum allowed by the Centers for Medicare and Medicaid Services. The department shall increase payments to Medicaid managed care organizations for the purpose of providing higher rates to physicians employed by or under contract with Chesapeake Regional Hospital based on the maximum allowed by CMS. The department shall revise its contracts with managed care organizations to incorporate these managed care directed payments, subject to approval by CMS. The department shall have the authority to implement these reimbursement changes effective July 1, 2022, and prior to completion of any regulatory process undertaken in order to effect such change.</p> <p>c. Prior to submitting the State Plan Amendment or making the managed care contract changes, Chesapeake Regional Hospital shall enter into an agreement with the department to transfer the non-federal share for these payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date(s) approved by the Centers for Medicare and Medicaid (CMS).</p>				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

8.a. There is hereby appropriated sum-sufficient nongeneral funds for the department to pay the state share of supplemental payments for nursing homes owned by Type One hospitals (consisting of state-owned teaching hospitals) as provided in the State Plan for Medical Assistance Services. The total supplemental payment shall be based on the difference between the Upper Payment Limit of 42 CFR § 447.272 as approved by CMS and all other Medicaid payments subject to such limit made to such nursing homes. DMAS shall enter into a transfer agreement with any Type One hospital whose nursing home qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to completion of any regulatory process in order to effect such changes.

b. The department shall adjust capitation payments to Medicaid managed care organizations to fund a minimum fee schedule compliant with requirements in 42 C.F.R. § 438.6(c)(1)(iii) at a level consistent with the State Plan amendment authorized above for nursing homes owned by Type One hospitals. The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments and provider payment requirements. DMAS shall enter into a transfer agreement with any Type One hospitals whose nursing home qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date approved by CMS. No payment shall be made without approval from CMS.

9. The department shall amend the State plan for Medical Assistance to implement a supplemental inpatient payment for Lake Taylor Transitional Care Hospital based on the difference between Medicaid reimbursement and the inpatient Upper Payment Limit for non-state government owned hospitals, and for managed care claims based on the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims for non-state government hospitals and the maximum managed care directed payment supported by the department's calculations and allowed by CMS, subject to CMS approval under 42 C.F.R. section 438.6(c). The department shall include in its contracts with managed care organizations a percentage increase for Lake Taylor Transitional Care Hospital consistent with the approved managed care directed fee for service supplemental payment percentage increase. The department shall adjust capitation payments to Medicaid managed care organizations to fund this percentage increase. Both the contract changes and capitation rate adjustments shall be compliant with 42 C.F.R. 438.6(c)(1)(iii) and subject to CMS approval. Prior to submitting the State Plan Amendment or making the managed care contract changes, Lake Taylor Transitional Care Hospital shall enter into an agreement with the department to transfer the non-federal share for these payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date(s) approved by the Centers for Medicare and Medicaid (CMS). The originating funding for this program will come entirely from Lake Taylor.

10.a. The Department of Medical Assistance Services shall develop a State Plan for Medical Assistance amendment to make supplemental payments to private hospitals and related health systems who intend to execute affiliation agreements with public entities that are capable of transferring funds to the department for purposes of covering the non-federal share of the authorized payments. Such public entities would enter into an Interagency Agreement with the department for this purpose. The department shall develop a plan, that could take effect July 1, 2023, for making managed care directed payments or supplemental payments as follows: Physician fee-for-service (FFS) supplemental payments through a state plan amendment and physician managed care directed payments through managed care contracts up to the Average Commercial Rate for practice plans that are a component of the participating hospitals or health system. The plan shall identify the public entity who will transfer funds to the department, the amount and duration of such transfers, the purpose and amount of any supplemental payment or managed care direct payments made to private hospitals and related health systems, and the impact, if any, on other supplemental payment programs currently in effect. The plan shall also include the appropriate references that provide authority for such payments.

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
b. The Department of Medical Assistance Services shall report the plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 15, 2022.				
EE. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XIX of the Social Security Act to add coverage for comprehensive dental services to pregnant women receiving services under the Medicaid program to include: (i) diagnostic, (ii) preventive, (iii) restorative, (iv) endodontics, (v) periodontics, (vi) prosthodontics both removable and fixed, (vii) oral surgery, and (viii) adjunctive general services. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such changes.				
FF. The Department of Medical Assistance Services (DMAS) shall amend its July 1, 2016, managed care contracts in order to conform to the requirement pursuant to House Bill 1942 / Senate Bill 1262, passed during the 2015 Regular Session, for prior authorization of drug benefits.				
GG.1. Out of this appropriation, \$4,350,000 the first year and \$4,350,000 the second year from the general fund and \$4,350,000 the first year and \$4,350,000 the second year from nongeneral funds shall be used for supplemental payments to fund graduate medical education for 5 residents who began their residencies in July 2018; 16 residents who began their residencies in July 2019; 30 residents who began their residencies in July 2020; 22 residents who began their residencies in July 2021; 20 residents who began their residencies in July 2022, and 10 psychiatric residents who began their residencies in July 2022.				
2. The supplemental payment for each qualifying residency slot shall be \$100,000 annually minus any Medicare residency payment for which the sponsoring institution is eligible. For any residency program at a facility whose Medicaid payments are capped by the Centers for Medicare and Medicaid Services, the supplemental payments for each qualifying residency slot shall be \$50,000 from the general fund annually minus any Medicare residency payments for which the residency program is eligible. Supplemental payments shall be made for up to four years for each qualifying resident. Payments shall be made quarterly following the same schedule used for other medical education payments.				
3. The Department of Medical Assistance Services shall submit a State Plan amendment based on the authorization in GG.1. of this Item to make supplemental payments for graduate medical education residency slots. The supplemental payments are subject to federal Centers for Medicare and Medicaid Services approval. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.				
4.a. Effective July 1, 2018, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: to Carilion Medical Center for 2 psychiatric residencies and to Sentara Norfolk General for 1 OB/GYN residency and 2 psychiatric residencies.				
b. Effective July 1, 2019, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk General (1 residency), Maryview Hospital (1 residency), Carilion Medical Center (6 residencies), Centra Health (2 residencies), and Riverside Regional Medical Center (1 residencies). The department shall make supplemental payments to Inova Fairfax Hospital for 1 General Surgery residency and to Carilion Medical Center for 2 psychiatric residencies. The department shall make supplemental payments to Sentara Norfolk General 1 OB/GYN residency and 1 urology residency.				
c. Effective July 1, 2020, the department shall make supplemental payments for a primary care residency to Riverside Regional Medical Center. The department shall make supplemental payments to Sentara Norfolk General for 2 psychiatric residencies and 1 urology residency. In addition, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Sentara Norfolk General (3 residencies), Maryview Hospital (1 residency), Carilion Medical Center (7 residencies), and Centra Health (2 residencies). The department shall make supplemental payments to Sentara Norfolk General for 1 OB/GYN residency and Carilion Medical Center for 2 psychiatry residencies. The department shall make supplemental				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>payments to Riverside Regional Medical Center for 8 emergency medicine residencies. The department shall make supplemental payments to Children's Hospital of King's Daughters for 2 general pediatrics residencies.</p>				
<p>d. Effective July 1, 2021, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Carilion Medical Center (7 residencies) and Centra Health (3 residencies). The department shall make supplemental payments to Sentara Norfolk General for 1 OB/GYN residency and 1 emergency medicine residency. The department shall make supplemental payments to Carilion Medical Center for 2 psychiatry residencies. The department shall make supplemental payments to Riverside Regional Medical Center for 8 emergency medicine residencies.</p>				
<p>e. Effective July 1, 2022, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Carilion (5 Internal Medicine residencies), Centra (3 Family Medicine residencies), and Riverside (1 Family Medicine residency). The department shall make supplemental payments to Carilion for 2 Psychiatry residencies. The department shall make supplemental payments to Children's Hospital of the King's Daughters for 2 Pediatric residencies. The department shall make supplemental payments to Sentara Norfolk General for 2 Psychiatry residencies. The department shall make supplemental payments to Riverside for 4 Emergency Medicine and 1 OB/GYN residencies.</p>				
<p>5. Preference shall be given for residency slots located in underserved areas. Applications for slots that involve multiple medical care providers collaborating in training residents and that involve providing residents the opportunity to train in underserved areas are encouraged. A majority of the new residency slots funded each year shall be for primary care. The department shall adopt criteria for primary care, high need specialties and underserved areas as developed by the Virginia Health Workforce Development Authority. Beginning July 1, 2018, the department shall also review and consider applications from non-hospital sponsoring institutions, such as Federally Qualified Health Centers (FQHCs).</p>				
<p>6. If the number of qualifying residency slots exceeds the available number of supplemental payments, the Virginia Health Workforce Development Authority shall determine which new residency slots to fund based on priorities developed by the authority.</p>				
<p>7. The sponsoring institution will be eligible for the supplemental payments as long as it maintains the number of residency slots in total and by category as a result of the increase. The sponsoring institutions must certify by June 1 each year that they continue to meet the criteria for the supplemental payments and report any changes during the year to the number of residents.</p>				
<p>8. The department shall require all sponsoring institutions receiving Medicaid medical education funding to report annually by September 15 on the number of residents in total and by specialty/subspecialty. Medical education funding includes payments for graduate medical education (GME) and indirect medical education (IME).</p>				
<p>HH.1. The Department of Medical Assistance Services, in consultation with the appropriate stakeholders, shall amend the State Plan for medical assistance and/or seek federal authority through an 1115 demonstration waiver, as soon as feasible, to provide coverage of inpatient detoxification, inpatient substance abuse treatment, residential detoxification, residential substance abuse treatment, and peer support services to Medicaid individuals in the Fee-for-Service and Managed Care Delivery Systems.</p>				
<p>2. The Department of Medical Assistance Services shall have the authority to make programmatic changes in the provision of all Substance Abuse Treatment Outpatient, Community Based and Residential Treatment services (group homes and facilities) for individuals with substance abuse disorders in order to ensure parity between the substance abuse treatment services and the medical and mental health services covered by the department and to ensure comprehensive treatment planning and care coordination for individuals receiving behavioral health and substance use disorder services. The department shall ensure appropriate utilization and cost efficiency, and adjust</p>				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

reimbursement rates within the limits of the funding appropriated for this purpose based on current industry standards. The department shall consider all available options including, but not limited to, service definitions, prior authorization, utilization review, provider qualifications, and reimbursement rates for the following Medicaid services: substance abuse day treatment for pregnant women, substance abuse residential treatment for pregnant women, substance abuse case management, opioid treatment, substance abuse day treatment, and substance abuse intensive outpatient. Any amendments to the State Plan or waivers initiated under the provisions of this paragraph shall not exceed funding appropriated in this Act for this purpose. The department shall have the authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.

3. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance and any waivers thereof to include peer support services to children and adults with mental health conditions and/or substance use disorders. The department shall work with its contractors, the Department of Behavioral Health and Developmental Services, and appropriate stakeholders to develop service definitions, utilization review criteria and provider qualifications. Any amendments to the State Plan or waivers initiated under the provisions of this paragraph shall not exceed funding appropriated in this Act for this purpose. The department shall have the authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this Act.

4. The Department of Medical Assistance Services shall, prior to the submission of any State Plan amendment or waivers to implement paragraphs HH.1., HH.2., and HH.3., submit a plan detailing the changes in provider rates, new services added, other programmatic changes, and a certification of budget neutrality to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance and Appropriations Committees.

II.1. The Department of Medical Assistance Services shall monitor the capacity available under the Upper Payment Limit (UPL) for all hospital supplemental payments and adjust payments accordingly when the UPL cap is reached. The department shall make an adjustment to stay under the UPL cap by reducing or eliminating as necessary supplemental payments to hospitals based on when the first supplemental payments were actually made so that the newest supplemental payments to hospitals would be impacted first and so on.

2. The Department of Medical Assistance Services shall have the authority to implement reimbursement changes deemed necessary to meet the requirements of this paragraph prior to the completion of any regulatory process in order to effect such changes.

JJ.1. Effective July 1, 2017, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the formula for indirect medical education (IME) for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 as a substitute for disproportionate share hospital (DSH) payments. The formula for these hospitals for IME for inpatient hospital services provided to Medicaid patients but reimbursed by capitated managed care providers shall be identical to the formula for Type One hospitals. The IME payments shall continue to be limited such that total payments to freestanding children's hospitals with greater than 50 percent Medicaid utilization do not exceed the federal uncompensated care cost limit to which DSH payments are subject, excluding third party reimbursement for Medicaid eligible patients. The department shall have the authority to implement these changes effective July 1, 2017, and prior to completion of any regulatory action to effect such changes.

2. The Department of Medical Assistance Services (DMAS) shall have the authority to create additional hospital supplemental payments for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 to replace payments that have been reduced due to the federal regulation on the definition of uncompensated care costs effective June 2, 2017. These new payments shall equal what would have been paid to the freestanding children's hospitals under the current disproportionate share hospital (DSH) formula without regard to the uncompensated care cost limit. These additional hospital supplemental payments shall take precedence over supplemental payments for private acute care hospitals. If the federal regulation is voided, DMAS shall continue DSH payments to the impacted hospitals and adjust the additional hospital supplemental payments authorized in this paragraph accordingly. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effectuate such change.



ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>KK. For the period beginning September 1, 2016 until 180 days after publication and distribution of the Developmental Disabilities Waivers provider manual by the Department of Medical Assistance Services (DMAS), retraction of payment from Developmental Disabilities Waivers providers following an audit by DMAS or one of its contractors is only permitted when the audit points identified are supported by the Code of Virginia, regulations, DMAS general providers manuals, or DMAS Medicaid Memos in effect during the date of services being audited.</p>				
<p>LL. The Department of Medical Assistance Services shall submit a report annually on all supplemental payments made to hospitals through the Medicaid program. This report shall include information for each hospital and by type of supplemental payment (Disproportionate Share Hospital, Graduate Medical Education, Indirect Medical Education, Upper Payment Limit program, and others). The report shall include total Medicaid payments from all sources and calculate the percent of overall payments that are supplemental payments. Furthermore, it shall include a description of each type of supplemental payment and the methodology used to calculate the payments. Each report shall reflect the data for the prior three fiscal years and shall be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by September 1 each year.</p>				
<p>MM.1. The Department of Medical Assistance Services shall work with stakeholders to review and adjust medical necessity criteria for Medicaid-funded nursing services including private duty nursing, skilled nursing, and home health. The department shall adjust the medical necessity criteria to reflect advances in medical treatment, new technologies, and use of integrated care models including behavioral supports. The department shall have the authority to amend the necessary waiver(s) and the State Plan under Titles XIX and XXI of the Social Security Act to include changes to services covered, provider qualifications, medical necessity criteria, and rates and rate methodologies for private duty nursing. The adjustments to these services shall meet the needs of members and maintain budget neutrality by not requiring any additional expenditure of general fund beyond the current projected appropriation for such nursing services.</p>				
<p>2. The department shall have authority to implement these changes to be effective July 1, 2022. The department shall also have authority to promulgate any emergency regulations required to implement these necessary changes within 280 days or less from the enactment date of this act. The department shall submit a report and estimates of any projected cost savings to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees 30 days prior to implementation of such changes.</p>				
<p>NN. The Department of Medical Assistance Services shall pursue any and all alternatives and cost based reimbursement models to allow a private hospital in rural Southwest Virginia that has closed in the last five years to recoup capital startup costs and minimize operating losses for the next five years, including but not limited to optimizing federal matching dollars in accordance with federal law.</p>				
<p>OO. The Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services shall recognize the Certified Employment Support Professional (CESP) and Association of Community Rehabilitation Educators (ACRE) certifications in lieu of competency requirements for supported employment staff in the Medicaid Community Living, Family and Individual Support and Building Independence Waiver programs and shall allow providers that are Department for the Aging and Rehabilitative Services vendors that hold a national three-year accreditation from the Commission on Accreditation of Rehabilitation Facilities (CARF) to be deemed qualified to meet employment staff competency requirements, provided the provider submits the results from their CARF surveys including recommendations received to the Department of Behavioral Health and Developmental Services so that the agency can verify that there are no recommendations for the standards that address staff competency.</p>				
<p>PP.1. The Department of Medical Assistance Services (DMAS) shall have the authority to implement programmatic changes to service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the following existing Medicaid behavioral health services: assertive community treatment, mental health partial</p>				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	hospitalization programs, crisis intervention and crisis stabilization services.			
	2. The department shall have the authority to develop new service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the following new Medicaid behavioral health services: multi-systemic therapy, family functional therapy, intensive outpatient services, mobile crisis intervention services, 23 hour temporary observation services and residential crisis stabilization unit services.			
	3. Effective on or after July 1, 2021, DMAS shall implement programmatic changes and reimbursement rates for the following services: assertive community treatment, multi-systemic therapy and family functional therapy.			
	4. Effective on or after July 1, 2021, DMAS shall implement programmatic changes and reimbursement rates for the following services: intensive outpatient services, partial hospitalization programs, mobile crisis intervention services, 23 hour temporary observation services, crisis stabilization services and residential crisis stabilization unit services.			
	5. In the development and implementation of these changes, the department shall ensure appropriate utilization and cost efficiency. Reimbursement rate changes shall be budget neutral and must not exceed the funding appropriated in the Act for these services.			
	6. The Department of Medical Assistance Services shall, prior to the submission of any State Plan amendment or waivers to implement these paragraphs, submit a plan detailing the changes in provider rates, new services added and other programmatic changes to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance and Appropriations Committees.			
	7. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.			
	QQ. Effective July 1, 2021, the Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act, as necessary, to provide continuous coverage to enrollees for the duration of pregnancy and through 12 months postpartum. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act. The department shall have authority to implement these amendments upon federal approval and prior to the completion of any regulatory process.			
	RR. Effective July 1, 2021, the Department of Medical Assistance Services shall increase rates by 14.7 percent for psychiatric services to the equivalent of 110 percent of Medicare rates. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.			
	SS. Effective on and after July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to modify reimbursement for nursing facility services such that the direct peer group price percentage shall be increased to 109.3 percent and the indirect peer group price percentage shall be increased to 103.3 percent. The department shall have the authority to implement these changes effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.			
	TT. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to implement a supplemental disproportionate share hospital (DSH) payment for Chesapeake Regional Hospital up to its hospital-specific disproportionate share hospital limit (OBRA '93 DSH limit) as determined pursuant to 42 U.S.C. Section 1396r-4. The payment shall be made annually based upon the hospital's disproportionate share limit for the most recent year for which the disproportionate share limit has been calculated subject to the availability of DSH funds under the federal allotment of such funds to the department. Prior to submitting the State Plan amendment, Chesapeake Regional Hospital shall enter into an agreement with the department to transfer the non-federal share of the supplemental DSH payment. Payment of the supplemental DSH payment is contingent upon receipt of intergovernmental transfer of funds or certified public expenditures from Chesapeake Regional Hospital. In the event that Chesapeake Regional Hospital is ineligible to transfer or certify necessary funds pursuant to federal law, the department may amend the State Plan for Medical Assistance to terminate the supplemental DSH payment program. The department shall have the authority to implement these reimbursement changes consistent with effective			

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

date(s) approved by the Centers for Medicare and Medicaid Services (CMS). No payments shall be made without CMS approval. In the event that CMS recoups supplemental DSH hospital funds from the department, Chesapeake Regional Hospital shall reimburse such funds to the department.

UU. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to provide that any nursing facility which thereafter loses its Medicaid capital reimbursement status as a hospital-based nursing facility because a replacement hospital was built at a different location and Medicare rules no longer allow the nursing home's cost to be included on the hospital's Medicare cost report shall have its first fair rental value (FRV) capital payment rate set at the maximum FRV rental rate for a new free-standing nursing facility with the date of acquisition for its capital assets being the date the replacement hospital is licensed. The department shall have the authority to implement these reimbursement changes effective July 1, 2021 and prior to the completion of the regulatory process.

VV. Effective July 1, 2022, the department shall amend the State Plan for Medical Assistance to establish a new direct and indirect care peer group for nursing facilities operating with at least 80% of the resident population having one or more of the following diagnoses: quadriplegia, traumatic brain injury, multiple sclerosis, paraplegia, or cerebral palsy. In addition, a qualifying facility must have at least 90% Medicaid utilization and a case mix index of 1.15 or higher in fiscal year 2014. The department shall utilize the data from the most recent rebasing to make this change effective for fiscal year 2023 and subsequent rate years until this change is incorporated into the next scheduled rebasing. This change shall not affect rates established in the most recent rebasing for facilities in any other direct and indirect care peer groups. The department shall have the authority to implement this reimbursement change prior to completion of any regulatory process in order to effect such change. To the extent federal approval requires alternative approaches to achieve the same general results, the department shall have the authority to follow the federal guidance effecting this change.

WW. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to establish Specialized Care operating rates for fiscal years 2021, 2022 and 2023 by inflating the fiscal year 2020 rates using Virginia nursing home inflation. After fiscal year 2023, the department shall revert to the existing prospective methodology. The department has the authority to implement this change notwithstanding current regulations and consistent with the approved State Plan amendment.

XX. The Department of Medical Assistance Services shall require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid program Durable Medical Equipment fee schedule for the same service or item of durable medical equipment, prosthetics, orthotics, and supplies. The department shall have the authority to implement this reimbursement change effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.

YY. The Department of Medical Assistance Services (DMAS) shall convene an advisory panel of representatives chosen by the Virginia Association of Community Services Boards (VACSB), the Virginia Association of Community-Based Providers (VACBP), the Virginia Coalition of Private Provider Associations (VCOPPA), Caliber, the Virginia Network of Private Providers (VNPP), and the Virginia Hospital and Healthcare Association. The advisory panel shall meet at least every two months with the appropriate staff from DMAS to review and advise on all aspects of the plan for and implementation of the redesign of behavioral health services with a specific focus on ensuring that the systemic plan incorporates development and maintenance of sustainable business models. Upon advice of the Advisory panel, DMAS may assign staff, as necessary, to review operations of a sample of providers to examine the process for service authorization, the interpretation of the medical necessity criteria, and the claims processing by all Medicaid managed care organizations. DMAS will report their findings from this review to the advisory panel and to the Secretary of Health and Human Resources, and the Chairs of House Appropriations and Senate Finance and Appropriations Committees by December 1, 2022.

ZZ. The Department of Medical Assistance Services shall adjust the post eligibility special earnings allowance for individuals in the CCC Plus, Community Living, Family and

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Individual Support and Building Independence waiver programs to incentivize employment for individuals receiving waiver services. DMAS shall lower the number of hours from at least eight hours but less than 20 hours per week requirement to at least four hours but less than 20 hours per week. The Special Earnings Allowance for waiver participants allows a percentage of earned income to be disregarded when calculating an individual's contribution to the cost of their waiver services when earning income. The current requirement is at least eight hours but less than 20 hours per week for a disregard of up to 200 percent of Supplemental Security Income (SSI) and a disregard of up to 300 percent for individuals that work 20 hours or more per week.				
AAA. The Department of Medical Assistance Services shall conduct an analysis to determine if any additional payment opportunities could be directed to the primary teaching hospital affiliated with a Liaison Committee on Medical Education (LCME) accredited medical school located in Planning District 23 that is a political subdivision of the Commonwealth, based on the department's reimbursement methodology established for such payments. If such opportunities do exist, the department shall work with the entities to determine the framework for implementing such payments, including a reasonable cap on such payments so other qualifying entities are not adversely affected in future years.				
BBB.1. Effective May 1, 2021, the Department of Medical Assistance Services shall increase the rates for agency- and consumer-directed personal care, respite and companion services in the home and community-based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by 6.4 percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.				
2. Effective January 1, 2022, the Department of Medical Assistance Services shall increase the rates for agency- and consumer-directed personal care, respite and companion services in the home and community-based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by 12.5 percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.				
CCC. Effective July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the practitioner rates for anesthesiologists to reflect the equivalent of 70 percent of the 2019 Medicare rates. The department shall ensure through its contracts with managed care organizations that the rate increase is reflected in their rates to providers. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process undertaken in order to effect such changes.				
DDD. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the supplemental physician payments for physicians employed at a freestanding children's hospital serving children in Planning District 8 to the maximum allowed by the Centers for Medicare and Medicaid Services within the limit of the appropriation provided for this purpose. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Virginia Medicaid fee-for-service payments. The department shall have the authority to implement these reimbursement changes effective July 1, 2021, and prior to the completion of any regulatory process undertaken in order to effect such change.				
EEE. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance or any waiver under Title XIX of the Social Security Act to increase the income eligibility for participation in the Medicaid Works program to 138 percent of the Federal Poverty Level. The department shall have the authority to implement this change prior to the completion of the regulatory process necessary to implement such change.				
FFF. Effective July 1, 2021, the Department of Medical Assistance Services shall increase rates for skilled and private duty nursing services to 80 percent of the benchmark rate developed by the department and consistent with the appropriation available for this purpose. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>GGG. Effective, January 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any necessary waivers, to authorize time and a half up to eight hours and effective July 1, 2021, up to 16 hours for a single attendant who works more than 40 hours per week for attendants providing Medicaid-reimbursed consumer-directed (CD) personal assistance, respite and companion services. The department shall have authority to implement this provision prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>HHH. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to allow the pending, reviewing and the reducing of fees for avoidable emergency room claims for codes 99282, 99283 and 99284, both physician and facility. The department shall utilize the avoidable emergency room diagnosis code list currently used for Managed Care Organization clinical efficiency rate adjustments. If the emergency room claim is identified as a preventable emergency room diagnosis, the department shall direct the Managed Care Organizations to default to the payment amount for code 99281, commensurate with the acuity of the visit. The department shall have the authority to implement this reimbursement change effective July 1, 2020, and prior to the completion of any regulatory process undertaken in order to effect such change.</p>				
<p>III. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services under Title XIX to modify the definition of readmissions to include cases when patients are readmitted to a hospital for the same or a similar diagnosis within 30 days of discharge, excluding planned readmissions, obstetrical readmissions, admissions to critical access hospitals, or in any case where the patient was originally discharged against medical advice. If the patient is readmitted to the same hospital for a potentially preventable readmission then the payment for such cases shall be paid at 50 percent of the normal rate, except that a readmission within five days of discharge shall be considered a continuation of the same stay and shall not be treated as a new case. Similar diagnoses shall be defined as ICD diagnosis codes possessing the same first three digits. The department shall have the authority to implement this reimbursement change effective July 1, 2020, and prior to the completion of any regulatory process undertaken in order to effect such change. The department shall report quarterly on the number of hospital readmissions, the cost, and the primary diagnosis of such readmissions to the Joint Subcommittee for Health and Human Resources Oversight.</p>				
<p>JJJ. The Department of Medical Assistance Services shall continue working with the Department of Behavioral Health and Developmental Services to complete the actions necessary to qualify to file a Section 1115 waiver application for Serious Mental Illness and/or Serious Emotional Disturbance. The department shall develop such a waiver application at the appropriate time that shall be consistent with the Addiction Treatment and Recovery Services substance abuse waiver program. The department shall develop a plan with a timeline and potential cost savings of such a waiver to the Commonwealth. The department shall provide an update on the status of the waiver by November 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.</p>				
<p>KKK.1. Effective January 1, 2021, the Department of Medical Assistance Services shall develop and implement an actuarially sound risk adjustment model that addresses the behavioral health acuity differences among the Medicaid managed care organizations for the community well population of individuals who are dually eligible for Medicare and Medicaid currently served through the Commonwealth Coordinated Care (CCC) Plus program. Behavioral health services shall be defined to include the following: case management services, community behavioral health, early intervention services, and addiction and recovery treatment services. The risk adjustment shall be based on nationally accepted models, such as the Chronic Illness and Disability Payment System (COPS) or Clinical Classifications Software Refined (CCSR), and shall incorporate variables predictive of behavioral health service utilization. Managed care experience shall be utilized as the basis for the risk adjustment.</p>				
<p>2. Effective January 1, 2021, the Department of Medical Assistance Services shall develop and implement differential capitation rates for members in behavioral health treatment versus those who are not, for the community well population of individuals who are dually</p>				

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

eligible for Medicare and Medicaid currently served through the CCC Plus program. The rates shall be actuarially sound and the behavioral health rates shall additionally incorporate risk adjustment to account for acuity differences amongst the managed care organizations. Behavioral health services shall be defined to include the following: case management services, community behavioral health, early intervention services, and addiction and recovery treatment services. The risk adjustment shall be based on nationally accepted models, such as The Chronic Illness and Disability Payment System (COPS) or Clinical Classifications Software Refined (CCSR), and shall incorporate variables predictive of behavioral health service utilization. Managed care experience shall be utilized as the basis for the establishment of the capitation rates and the risk adjustment.

3. The risk adjustment model and differential capitation rates in these paragraphs shall be implemented such that the impact is budget neutral.

LLL. Free-standing emergency departments, also referred to as dedicated emergency departments as defined in 42 C.F.R. § 489.24(b) that operate as a department of a hospital subject to requirements of the federal Emergency Medical Treatment and Labor Act (42 U.S.C. § 1395dd), and is located off the main hospital campus or in an independent facility, shall submit to the payor upon billing for services rendered (i) the campus location in which their services were rendered, and (ii) an indicator specifying that the services were rendered in a free-standing emergency department.

MMM. Effective July 1, 2021, the Department of Medical Assistance Services shall have the authority to amend the State Plan of Medical Assistance under Title XIX of the Social Security Act to provide a comprehensive dental benefit to adults. The department shall work with its Dental Advisory Committee, including members of the Virginia Dental Association, the Virginia Health Catalyst, the Virginia Commonwealth University School of Dentistry, the Virginia Dental Hygienists Association, the Virginia Health Care Association, a representative of the developmental and intellectual disability community, the Virginia Department of Health and the administrator of the Smiles for Children program to develop the benefit. The benefit shall be modeled after the existing benefit for pregnant women. The benefit shall include preventive and restorative services and shall not include any cosmetic services or orthodontic services. The Dental Advisory Committee shall design a benefit that does not exceed the appropriated funds to provide such services. The department shall work with its dental benefit administrator, the Virginia Dental Association, the Virginia Association of Free and Charitable Clinics, the Virginia Community Healthcare Association and other stakeholders to ensure an adequate network of providers and awareness among beneficiaries. The department shall have authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment date of this act.

NNN. The Department of Medical Assistance Services, in collaboration with the Virginia Department of Social Services, state workforce agencies and programs, and appropriate stakeholders, shall develop a referral system designed to connect current and newly eligible Medicaid enrollees to employment, training, education assistance and other support services. The department shall review current federal law and regulations that may allow, through State Plan amendments, contracts, or other policy changes, the department to support such a referral program. The department shall provide new enrollees in the Medicaid program, that have been identified as being potentially unemployed or underemployed with information on all available state and federal programs available to them that offer training, education assistance or other types of employment support services. The department shall work with its contracted managed care organizations to facilitate referrals to employment related services. To the degree that resources are available in other state agencies or from federal grants to support the referral program and existing authority permits such use, the department shall coordinate the use of such programs to provide assistance to Medicaid enrollees.

OOO.1. The Department of Medical Assistance Services shall increase nursing home and specialized care per diem rates by \$20 per day per patient effective until June 30, 2021, and by \$15 per day effective July 1, 2021. Such adjustment shall be made through existing managed care capitation rates as a mandated specified rate increase. DMAS shall adjust capitation rates to account for the nursing facility rate increase. The department shall have the authority to file all necessary regulatory authorities without delay, make any necessary contract changes, and implement these reimbursement changes without regard to existing regulations. The specified rate increase in this paragraph applies across fee-for-service and

<b>ITEM 304.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2023</b>	<b>FY2024</b>

Medicaid managed care.

2.a. The Department of Medical Assistance Services (DMAS) shall work with appropriate nursing facility (NF) stakeholders and the CCC Plus managed care organizations (MCOs) to develop a unified, value-based purchasing (VBP) program that includes enhanced funding for facilities that meet or exceed performance and/or improvement thresholds as developed, reported, and consistently measured by DMAS in cooperation with participating facilities. The methodology and timing for the Virginia nursing facility VBP program, including structures for nursing facility performance accountability and disbursement of earned financial incentives, shall be completed no later than December 31, 2021, with the program targeted to begin no later than July 1, 2022. Nursing facility performance evaluation under the program shall prioritize maintenance of adequate staffing levels and avoidance of negative care events, such as hospital admissions and emergency department visits. The program may also consider performance evaluation in the areas of preventive care, utilization of home and community-based services, including community transitions, and other relevant domains of care.

b. During the first year of this program, half of the available funding shall be distributed to participating nursing facilities to be invested in functions, staffing, and other efforts necessary to build their capacity to enhance the quality of care furnished to Medicaid members. This funding shall be administered as a Medicaid rate add-on in the same manner as in paragraph 1. above. The remaining funding shall be allocated based on performance criteria as designated under the nursing facility VBP program. The amount of funding devoted to nursing facility quality of care investments shall be 25 percent of available funding in the second year of the program before the program transitions to payments based solely on nursing facility performance criteria in the third year of the program. In the third year of this program, such funds as appropriated for this purpose shall be fully disbursed according to the aforementioned unified VBP arrangement to participating nursing facilities that qualify for the enhanced funding.

c. The department shall convene the stakeholders no less than annually through at least the first two years of the program to review program progress and discuss potential modifications to components of the arrangement, including, but not limited to, timing of enhanced payments, performance metrics, and threshold determinations. The department shall implement the necessary regulatory changes and other necessary measures to be consistent with federal approval of any appropriate changes to the State Plan or relevant waivers thereof, and prior to the completion of any regulatory process undertaken to effect such change.

PPP. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to expand the Preferred Office-Based Opioid Treatment (OBOT) model to include individuals with substance use disorders (SUD) that are covered in the Addiction and Recovery Treatment Services (ARTS) benefit. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

QQQ. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to expand the definition of durable medical equipment per 42 CFR 440.70 (b) (3), so that the definition is no longer limited to items primarily used in the home but also extends to any setting where normal activities take place. The Department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

RRR. The Department of Medical Assistance Services (DMAS) is authorized to amend the State Plan for Medical Assistance Services to implement a supplemental Medicaid payment for Department of Veterans Services (DVS) state government-owned nursing facilities. The total supplemental Medicaid payment for DVS state government owned nursing homes shall be based on the difference between the Upper Payment Limit of 42

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
CFR 447.272, as approved by the Centers for Medicare and Medicaid Services (CMS), and all other Medicaid payments subject to such limit made to such nursing homes. DMAS shall not submit any State Plan amendment to CMS that implements this payment until DMAS enters into an intergovernmental agreement with DVS. This agreement shall include the following provisions: 1) DVS shall transfer funds to DMAS for use as the state share of the full cost of the supplemental Medicaid payment for which each nursing home is entitled; 2) DVS must demonstrate that it has the authority and ability to transfer the necessary funds to DMAS; and, 3) DVS shall attest that any funds provided for state match will comply with federal law for use as the state share for the supplemental Medicaid payment. If DVS is unable to enter into or comply with the provisions of such an intergovernmental agreement, then DMAS shall immediately modify the Medicaid State Plan and adjust any supplemental payments accordingly. DMAS shall have the authority to implement the reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change.				
SSS. The Department of Medical Assistance Services shall update its regulations to reflect the Department of Behavioral Health and Developmental Services licensing criteria for the American Society of Addiction Medicine (ASAM) Level of Care 4.0. The Department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.				
TTT. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize the reimbursement, using a budget neutral methodology, of pharmacy-administered immunizations for all vaccinations covered under the medical benefit for Medicaid members. Reimbursement for fee-for-service members shall be the cost of the vaccine plus an administration fee not to exceed \$16. Reimbursement for pharmacy-administered vaccinations for pediatric Medicaid members eligible for free vaccinations through the Vaccines For Children (VFC) program shall include only the administration fee. The department is authorized to set the administration fee for COVID-19 vaccines at the same level as Medicare reimbursement for such vaccines. The Department shall promulgate regulations to become effective within 280 days or less from the enactment date of this Act to implement this change.				
UUU. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage for clinically appropriate audio-only services, provider-to-provider consultations, store-and-forward, and virtual check-ins with patients. The Department shall promulgate regulations to become effective within 280 days or less from the enactment date of this Act to implement this change.				
VVV. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage of community doula services for Medicaid-enrolled pregnant women. Services shall include up to 8 prenatal/postpartum visits, and support during labor and delivery. The department shall also implement up to two linkage-to-care incentive payments for postpartum and newborn care.				
WWW. The Department of Medical Assistance Services (DMAS) shall have the authority to make necessary changes to waivers and/or the Medicaid State Plan to ensure that all adult Medicaid members have access to COVID-19 vaccinations. The department shall have the authority to implement such changes effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such changes.				
XXX. The Department of Medical Assistance Services shall amend the Medicaid and CHIP State Plans to authorize prescriptions of contraceptives up to a 12 month supply for eligible beneficiaries in the Medicaid and CHIP programs. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.				
YYY. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XIX of the Social Security Act to add coverage for the current procedural terminology (CPT) codes for Applied Behavioral Analysis that were added to the CPT list in January 2019, or any future updates to these CPT codes. The department shall have the authority to implement related programmatic changes to service definitions, prior				



ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

authorization and utilization review criteria, provider qualifications, and reimbursement rates for the Behavioral Therapy Program. The department shall have the authority to implement these changes effective December 1, 2021, and prior to completion of any regulatory process to effect such changes.

ZZZ. The Department of Medical Assistance Services, in coordination with the Department of Behavioral Health and Developmental Services, shall submit a request to the Centers for Medicare and Medicaid Services to amend its 1915(c) Home & Community-Based Services (HCBS) waivers to allow telehealth and virtual and/or distance learning as a permanent service option and accommodation for individuals on the Community Living, Family and Individual Services and Building Independence Waivers. The amendment, at a minimum, shall include all services currently authorized for telehealth and virtual options during the COVID-19 pandemic. The departments shall actively work with the established Developmental Disability Waiver Advisory Committee and other appropriate stakeholders in the development of the amendment including service elements and rate methodologies. The department shall have the authority to implement these changes prior to the completion of the regulatory process.

AAAA. The Department of Medical Assistance Services shall defer the next scheduled nursing facility rate rebasing for one year in order to utilize the calendar year 2021 cost reports as the base year. The deferred year's rates would reflect the prior year rates inflated according to the existing reimbursement regulations. The department shall have the authority to implement these changes effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.

BBBB. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance to adjust the formula for indirect medical education (IME) reimbursement for managed care discharges for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 by increasing the case mix adjustment factor to the greater of 3.2962 or the most recent rebasing. Total payments for IME in combination with other payments for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 may not exceed the hospital's Medicaid costs. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

CCCC. The Director of the Department of Planning and Budget shall have the authority to appropriate additional federal Medicaid revenue for current services as provided for in the American Rescue Plan Act of 2021 (ARPA). However, no expansion of Medicaid programs or services shall be implemented with ARPA funds unless specifically authorized by the General Assembly. Any state funds offset by this additional federal revenue shall remain unspent and shall be retained until expenditure of such funds is reauthorized and appropriated by the General Assembly.

DDDD. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to increase the rates for agency- and consumer-directed personal care, respite and companion services by 7.5 percent to reflect additional increases in the state minimum wage while maintaining the existing differential between consumer-directed and agency-directed rest-of-state rates as well as the northern Virginia and rest-of-state rates. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

EEEE. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to amend the State Plan under Title XIX of the Social Security Act, and any waivers thereof as necessary to add coverage of the preventive services provided pursuant to the Patient Protection and Affordable Care Act (PPACA) for adult, full Medicaid individuals who are not enrolled pursuant to the PPACA. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.

FFFF. The Department of Medical Assistance Services shall amend the state plans under Titles XIX and XXI of the Social Security Act, and any waivers thereof as necessary to remove co-payments for enrollees. Such change shall be effective April 1, 2022, or upon expiration of the federal public health emergency related to the Coronavirus Disease 2019 (COVID-19) pandemic, whichever is earlier. The department shall have the authority to

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	implement this change prior to the completion of any regulatory process to effect such changes.			
	GGGG. The Department of Medical Assistance Services shall seek federal authority through a State Plan amendment to exclude excess resources accumulated by individuals receiving long-term supports and services (LTSS) during the federal Public Health Emergency (PHE) for a period of 12 months beginning at the end of the federal PHE. The department shall have the authority to implement this exclusion upon the signing of the Appropriations Act, and prior to the completion of any regulatory process to effect such change.			
	HHHH. Freestanding children's hospitals with more than 50 percent Medicaid utilization in fiscal year 2009 shall not have to reimburse the Commonwealth of Virginia for the non-federal share of any refunds of disproportionate share hospitals (DSH) payments for the period of June 2, 2017 through June 30, 2020. This action is limited to refunds required under federal court decisions in connection to calculation of members with dual eligibility or third-party liability.			
	<p>IIII. 1. Effective July 1, 2022, the Department of Medical Assistance Services (DMAS) shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for dental services by 30 percent. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.</p> <p>2. The Department of Medical Assistance Services (DMAS), in consultation with the appropriate stakeholders, shall review Medicaid and FAMIS dental benefits to determine any issues related to access. The department shall report its findings to the Chairmen of the House Appropriations and Senate Appropriations and Finance Committees and the Director, Department of Planning and Budget by October 15, 2022.</p>			
	JJJJ. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for physician primary care services, excluding those provided in emergency departments, to 80 percent of the federal FY 2021 Medicare equivalent as calculated by the department and consistent with the appropriation available for this purpose. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.			
	<p>KKKK.1. Out of this appropriation, \$175,793,045 the first year and \$201,197,348 the second year from the general fund and \$182,060,495 the first year and \$208,539,425 the second year from matching federal Medicaid funds and other nongeneral funds shall be provided to increase Developmental Disability (DD) waiver rates set forth in the following paragraph.</p> <p>2. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to update the rates for DD waiver services using the most recent rebasing estimates, based on their review of the model assumptions as appropriate and consistent with efficiency, economy, quality and sufficiency of care and reported no later than July 1, 2022. Rates shall be increased according to Tiered payments contained in the rebasing model, where appropriate for the type of service provided. Rates shall be increased for Group Homes, Sponsored Residential, Supported Living, Independent Living Supports, In-home Supports, Community Engagement, Community Coaching, Therapeutic Consultation, Private Duty and Skilled Nursing, Group Day Support, Group Supported Employment, Workplace Assistance, Community Guide, DD Case Management and Benefits Planning. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.</p>			
	LLLL. Effective July 1, 2022, the Department of Medical Assistance Services (DMAS) shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for obstetrics and gynecology covered services by 15 percent. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.			
	MMMM. Effective July 1, 2022, the Department of Medical Assistance Services (DMAS) shall have the authority to increase reimbursement rates for children's covered vision services for Medicaid Title XIX and CHIP XXI programs by 30 percent. The department shall have			

ITEM 304.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.

NNNN. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to allow enrollment in a Medicaid managed care plan for individuals who are Medicaid eligible 30 days prior to release from incarceration. The department shall modify its contracts with managed care organizations to require a video or telephone conference with incarcerated individuals that are enrolled in a managed care plan in order to create a transition plan during the 30 days prior to release from incarceration. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.

OOOO.1. Effective September 1, 2022, the Department of Medical Assistance Services (DMAS) shall revise its Medicaid and Family Access to Medical Insurance Security (FAMIS) managed care organization (MCO) contracts to require MCOs to include provider agreements for mobile vision services provided to eligible children on school grounds in localities where local school divisions or schools have written agreements with mobile vision providers.

2. Mobile vision providers, subject to such agreements, shall provide comprehensive vision services including, at a minimum, a comprehensive vision exam in compliance with recognized clinical standards to include the use of a binocular indirect ophthalmoscope and/or a wide-angle retinal imaging system, lenses, frames, and fittings.

3. The Department of Medical Assistance Services shall require the Medicaid MCOs to expedite the enrollment and credentialing of the mobile vision providers in the MCO networks and shall work with managed care organizations to ensure that a variety of lens and frames are available to children receiving vision services in any setting. The department shall have authority to implement these provisions prior to the completion of any regulatory process undertaken in order to effect such change.

PPPP. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage for medically necessary general anesthesia and hospitalization or facility charges of a facility licensed to provide outpatient surgical procedures for dental care provided to a Medicaid enrollee who is determined by a licensed dentist in consultation with the enrollee's treating physician to require general anesthesia and admission to a hospital or outpatient surgery facility to effectively and safely provide dental care to an enrollee age ten or younger. The department shall have the authority to implement this change effective July 1, 2022 and prior to the completion of any regulatory process to effect such change.

QQQQ. Effective July 1, 2022, the Department of Medical Assistance Services shall increase Medicaid rates for peer recovery and family support services in private and public community-based recovery services settings from \$6.50 to \$13.00 per 15 minutes for individuals and from \$2.70 to \$5.40 per 15 minutes for groups.

RRRR. Out of this appropriation, \$56,640,476 from nongeneral funds the first year and \$43,489,163 from the general fund and \$64,983,275 from nongeneral funds the second year shall be provided, effective July 1, 2022, for the Department of Medical Assistance Services to increase rates by 12.5%, relative to the rates in effect prior to July 1, 2021, for: (i) adult day health care; (ii) consumer-directed facilitation services; (iii) crisis supervision, crisis stabilization and crisis support services; (v) transition coordinator services; (vi) mental health and early intervention case management services; and (vii) community behavioral health and habilitation services. In addition to the funds included in this Item, \$38,057,684 the first year is provided for the state match for this purpose in Item 486 out of the revenues received from federal distributions of the American Rescue Plan Act of 2021. However, if ARPA funds cannot be used for this purpose the department is authorized to use the available cash balance or excess revenue in the Health Care Fund that is in excess of the estimates included for the first year in this act or additional general fund dollars in excess of the Official Medicaid Forecast made available due to changes in the federal match rate. The department shall have the authority to implement these changes prior to the completion of any regulatory process undertaken in order to effect such change.

ITEM 304.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
<p>PPPP. Contingent on approval by the Centers for Medicare and Medicaid Services (CMS), the Department of Medical Assistance Services (DMAS) shall allow legally responsible individuals (parents of children under age 18 and spouses) to provide personal care/personal assistance services and be paid for those services when circumstances prevent an individual from being cared for by a non-parent caregiver. Any legally responsible individual who is a paid aide or attendant for personal care/personal assistance services shall meet all the same requirements as other aides or attendants. The department shall have the authority to implement these changes effective July 1, 2022 and prior to completion of any regulatory process to effect such change.</p>					
305.	Medical Assistance Services (Non-Medicaid) (46400).....			\$821,702	\$821,702
	Insurance Premium Payments for HIV-Positive Individuals (46403).....	\$556,702	\$556,702		
	Reimbursements from the Uninsured Medical Catastrophe Fund (46405).....	\$265,000	\$265,000		
	Fund Sources: General.....	\$781,702	\$781,702		
	Dedicated Special Revenue.....	\$40,000	\$40,000		
<p>Authority: §32.1-330.1 and §32.1-324.3, Code of Virginia.</p> <p>A. Out of this appropriation, \$556,702 the first year and \$556,702 the second year from the general fund shall be provided for insurance payment assistance to HIV-infected persons in accordance with § 32.1-330.1, Code of Virginia, except that the eligibility threshold for assistance shall allow a maximum income of no more than 250 percent of the federal poverty threshold.</p> <p>B. Out of this appropriation, \$225,000 the first year and \$225,000 the second year from the general fund shall be transferred to the Uninsured Medical Catastrophe Fund under § 32.1-324.3, Code of Virginia.</p>					
306.	Medical Assistance Services for Low Income Children (46600).....			\$248,907,357	\$271,519,009
	Reimbursements for Medical Services Provided to Low-Income Children (46601).....	\$248,907,357	\$271,519,009		
	Fund Sources: General.....	\$84,680,147	\$93,072,041		
	Federal Trust.....	\$164,227,210	\$178,446,968		
<p>Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.</p> <p>To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600) and Medicaid Program Services (45600), if available, into this Item to be used as state match for federal Title XXI funds.</p>					
307.	Medical Assistance Management Services (Forecasted) (49600).....			\$48,921,627	\$47,421,627
	Medicaid payments for enrollment and utilization related contracts (49601).....	\$46,336,320	\$44,836,320		
	CHIP payments for enrollment and utilization related contracts (49632).....	\$2,585,307	\$2,585,307		
	Fund Sources: General.....	\$14,392,754	\$14,392,754		
	Dedicated Special Revenue.....	\$5,104,941	\$3,604,941		
	Federal Trust.....	\$29,423,932	\$29,423,932		

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.

Amounts appropriated in this Item shall fund administrative expenditures associated with contracts between the department and companies providing dental benefit services, consumer-directed payroll services, claims processing, behavioral health management services and

ITEM 307.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	disease state/chronic care programs for Medicaid and FAMIS recipients.			
308.			\$295,873,698	\$288,261,699
	Administrative and Support Services (49900).....			
	General Management and Direction (49901).....	\$276,561,140	\$269,574,963	
	Administrative Support for the Family Access to Medical Insurance Security Plan (49932).....	\$16,812,558	\$16,186,736	
	CHIP Health Services Initiatives (49936).....	\$2,500,000	\$2,500,000	
	Fund Sources: General.....	\$74,373,559	\$72,923,062	
	Special.....	\$7,329,800	\$7,329,800	
	Dedicated Special Revenue.....	\$8,969,112	\$8,781,954	
	Federal Trust.....	\$205,201,227	\$199,226,883	

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.

A.1.a. Notwithstanding any other provision of law, by November 1 of each year, the Department of Medical Assistance Services (DMAS) shall prepare and submit a forecast of Medicaid expenditures, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Director, Department of Planning and Budget (DPB) and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

b. The forecast shall be based on current state and federal laws and regulations.

c. The forecast shall reflect only expenditures for medical services provided in Program 45600 and shall exclude service area 45606, service area 45607, and administrative expenditures.

d. Rebasing and inflation estimates that are required by existing law or regulation for any Medicaid provider shall be included in the forecast.

e. The forecast shall include a projection of the increases or decreases in managed care costs, including the rates that will be reflected in the upcoming July 1 contracts as well as changes in managed care rates for a three-year period including the current year.

f. In preparing for each year's forecast of the managed care portions of the budget, DMAS shall submit to its actuarial contractor a letter of request, with a copy sent to the Director, DPB and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. This letter shall document the department's request for a point estimate of managed care rates and changes in rates, based on the application of actuarial principals and methodologies and information available at the time of the forecast. The letter also shall require that the contractor reflect the years being forecasted, and shall specify the population groupings for which estimates are requested. The department shall request that the contractor reply in writing with a copy to all parties copied on the department's letter of request.

2. In addition to the November 1 forecast submission, DMAS shall provide: 1) a separate accounting of forecasted expenditures by caseload/utilization, inflation and policy changes; and 2) an enrollment forecast for the same period of the forecast.

3. In the development and execution of the official forecast, DMAS shall collaborate with staff from the Department of Planning and Budget (DPB), House Appropriations Committee and Senate Finance and Appropriations Committee. Further, DMAS shall consult with DPB and money committee staff throughout the year, as necessary, to review any issues that may influence the current or upcoming forecasts. Upon request from such staff, DMAS shall provide the information necessary to evaluate factors that may affect the Medicaid forecast; including, but not limited to, program utilization, enrollment, lump sum payments, and rate changes. At a minimum, DMAS shall provide such staff with program updates within 30 days after the end of each General Assembly session and fiscal year. By October 15 of each year, DMAS shall make a preliminary forecast of Medicaid expenditures available for review to staff from DPB and the House Appropriations and Senate Finance and Appropriations Committees. DMAS shall consider feedback generated from this review in the official November 1 forecast.

ITEM 308.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
B.1. The Department of Medical Assistance Services (DMAS) shall submit monthly expenditure reports of the Medicaid program by service that shall compare expenditures to the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly Session. The monthly report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within 20 days after the end of each month.				
2. The Department of Medical Assistance Services shall prepare a quarterly report summarizing managed care expenditures by program and service category through the most recent quarter with three months of runout. The report shall summarize the data by service date for each quarter in the current fiscal year and the previous two fiscal years and update prior quarter expenditures. The department shall publish the report on the department's website no later than 30 days after the end of each quarter and shall notify the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.				
3. The Department of Medical Assistance Services shall track expenditures for the prior fiscal year that ended on June 30, that includes the expenditures associated with changes in services and eligibility made in the Medicaid and FAMIS programs adopted by the General Assembly in the past session(s). Expenditures related to changes in services and eligibility adopted in a General Assembly Session shall be included in the report for five fiscal years beginning from the first year the policy impacted expenditures in the Medicaid and FAMIS programs. The department shall report the expenditures of each funding change separately and show the impact by fiscal year. The report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year.				
4. The Department of Medical Assistance Services shall convene a meeting each quarter with the Secretary of Finance, Secretary of Health and Human Resources, or their designees, and appropriate staff from the Department of Planning and Budget, House Appropriations and Senate Finance and Appropriations Committees, and Joint Legislative Audit and Review Commission to explain any material differences in expenditures compared to the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly Session. The main purpose of each meeting shall be to review and discuss the most recent Medicaid expenditures to determine the program's financial status. If necessary, the department shall provide options to bring expenditures in line with available resources. At each quarterly meeting, the department shall provide an update on any changes to the managed care programs, or contracts with managed care organizations, that includes detailed information and analysis on any such changes that may have an impact on the capitation rates or overall fiscal impact of the programs, including changes that may result in savings. In addition, the department shall report on utilization and other trends in the managed care programs. During each fiscal year, the meetings for each quarter shall be held in July, October, December, and April to review the previous three month period.				
C. The Department of Medical Assistance Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15 of each year.				
D. The Department of Medical Assistance Services shall, within 15 days of receiving a deferral of federal grant funds, or release of a deferral, or a disallowance letter, notify the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees of such deferral action or disallowance. The notice shall include the amount of the deferral or disallowance and a detailed explanation of the federal rationale for the action. Any federal documentation received by the department shall be attached to the notification.				
E.1. It is the intent of the General Assembly that the Department of Medical Assistance Services provide more data regarding Medicaid and other programs operated by the department on their public website. The department shall create a central website that consolidates data and statistical information to make the information more readily available to the general public. At a minimum the information included on such website shall include				

ITEM 308.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
monthly enrollment data, expenditures by service, and other relevant data.				
2. The department shall make Medicaid and other agency data stored in the agency's data warehouse available through the department's website that includes, at a minimum, interactive tools for the user to select, display, manipulate and export requested data.				
3. The Department of Medical Assistance Services shall post on its website the complete State Plan for Medical Assistance along with all amendments in an easily searchable format to be accessible to the public.				
4. Within five days of any submission of a State Plan amendment to the Centers for Medicare and Medicaid Services, the Department of Medical Assistance Services shall post such submission on its website. The department shall also post any federal approval documents once the State Plan amendment is approved.				
5. The department shall publish a document on its website, updated annually, that lists all policy changes, including their fiscal impact, for the Medicaid program for the preceding fiscal year.				
F. The Department of Medical Assistance Services shall notify the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees at least 30 days prior to any change in capitated rates for managed care companies. The notification shall include the amount of the rate increase or decrease, and the projected impact on the state budget.				
G.1. Effective January 1, 2018, the Department of Medical Assistance Services shall include in all its contracts with managed care organizations (MCO) the following:				
a. A provision requiring the MCOs to return one-half of the underwriting gain in excess of three percent of Medicaid premium income up to 10 percent. The MCOs shall return 100 percent of the underwriting gain above 10 percent.				
b. A requirement for detailed financial and utilization reporting. The reported data shall include: (i) income statements that show expenses by service category; (ii) balance sheets; (iii) information about related-party transactions; and (iv) information on service utilization metrics.				
c. Upon the inclusion of behavioral health care in managed care, behavioral health-specific metrics to identify undesirable trends in service utilization.				
d. Upon the inclusion of behavioral health care in managed care, a report on their policies and processes for identifying behavioral health providers who provide inappropriate services and the number of such providers that are disenrolled.				
2. For rate periods effective January 1, 2018 and thereafter, the Department of Medical Assistance Services shall direct its actuary as part of the rate setting process to:				
a. Identify potential inefficiencies in the Medallion program and adjust capitation rates for expected efficiencies. The department is authorized to phase-in this adjustment over time based on the portion of identified inefficiencies that MCOs can reasonably reduce each year.				
b. Monitor medical spending for related-party arrangements and adjust historical medical spending when deemed necessary to ensure that capitation rates do not cover excessively high spending as compared to benchmarks. Related-party arrangements shall mean those in which there is common ownership or control between the entities, and shall not include Medicaid payments otherwise authorized in this Item.				
c. Adjust capitation rates in the Medallion program to account for a portion of expected savings from required initiatives.				
d. Allow negative historical trends in medical spending to be carried forward when setting capitation rates.				
e. Annually rebase administrative expenses per member per month for projected enrollment changes.				

ITEM 308.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
f. Annually incorporate findings on unallowable administrative expenses from audits of MCOs into its calculations of underwriting gain and administrative loss ratios for the purposes of ongoing financial monitoring, including enforcement of the underwriting gain cap.				
g. Adjust calculations of underwriting gain and medical loss ratio by classifying as profit medical spending that is excessively high due to related-party arrangements.				
3. The Department of Medical Assistance Services shall report to the General Assembly on spending and utilization trends within Medicaid managed care, with detailed population and service information and include an analysis and report on the underlying reasons for these trends, the agency's and MCOs' initiatives to address undesirable trends, and the impact of those initiatives. The report shall be submitted each year by September 1.				
4. The Department of Medical Assistance Services shall develop a proposal for cost sharing requirements based on family income for individuals eligible for long-term services and supports through the optional 300 percent of Supplemental Security Income eligibility category and submit the proposal to the Centers for Medicare and Medicaid Services to determine if such a proposal is feasible. No cost sharing requirements shall be implemented unless approved by the General Assembly.				
H. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with the Department of Behavioral Health and Developmental Services to share Medicaid claims and expenditure data on all Medicaid-reimbursed mental health, intellectual disability and substance abuse services, and any new or expanded mental health, intellectual disability retardation and substance abuse services that are covered by the State Plan for Medical Assistance. The information shall be used to increase the effective and efficient delivery of publicly funded mental health, intellectual disability and substance abuse services.				
I. The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall convene a stakeholder workgroup, to meet at least once annually, with representatives of the Virginia Association of Community Services Boards, the Virginia Network of Private Providers, the Virginia Association of Centers for Independent Living, Virginia Association of Community Rehabilitation Programs (VaACCSES), the disAbility Law Center of Virginia, the ARC of Virginia, and other stakeholders including representative family members, as deemed appropriate by the Department of Medical Assistance Services. The workgroup shall: (i) review data from the previous year on the distribution of the SIS levels and tiers by region and by waiver; (ii) review the process, information considered, scoring, and calculations used to assign individuals to their levels and reimbursement tiers; (iii) review the communication which informs individuals, families, providers, case managers and other appropriate parties about the SIS tool, the administration, and the opportunities for review to ensure transparency; and (iv) review other information as deemed necessary by the workgroup. The department shall report on the results and recommendations of the workgroup to the General Assembly by October 1 of each year.				
J. The Department of Medical Assistance Services (DMAS) shall collect and provide to the Office of Children's Services (OCS) all information and data necessary to ensure the continued collection of local matching dollars associated with payments for Medicaid eligible services provided to children through the Children's Services Act. This information and data shall be collected by DMAS and provided to OCS on a monthly basis.				
K. The Departments of Medical Assistance Services (DMAS) and Social Services (DSS) shall collaborate with the League of Social Services Executives, and other stakeholders to analyze and report data that demonstrates the accuracy, efficiency, compliance, quality of customer service, and timeliness of determining eligibility for the Medicaid and CHIP programs. Based on this collaboration, the departments shall develop meaningful performance metrics on data in agency systems that shall be used to monitor eligibility trends, address potential compliance problem areas and implement best practices. DMAS shall maintain on its website a public dashboard on eligibility performance that includes performance metrics developed through collaborative efforts as well as the performance of local departments of social services and any centralized eligibility-processing unit. Effective August 1, 2018 this dashboard shall be updated for the previous quarter and 30 days following the end of each				



ITEM 308.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

quarter thereafter.

L. In addition to any regional offices that may be located across the Commonwealth, any statewide, centralized call center facility that operates in conjunction with a brokerage transportation program for persons enrolled in Medicaid or the Family Access to Medical Insurance Security plan shall be located in Norton, Virginia.

M. The Department of Medical Assistance Services, in collaboration with the Department of Social Services, shall require Medicaid eligibility workers to search for unreported assets at the time of initial eligibility determination and renewal, using all currently available sources of electronic data, including local real estate property databases and the Department of Motor Vehicles for all Medicaid applicants and recipients whose assets are subject to an asset limit under Medicaid eligibility requirements.

N.1. The Department of Medical Assistance Services shall require eligibility workers to verify income, using currently available Virginia Employment Commission data, for applicants and recipients who report no earned or unearned income. The Department shall require all Medicaid eligibility workers to apply the same protocols when verifying income for all applicants and recipients, including those who report no earned or unearned income.

2. The Department shall amend the Virginia Medicaid application, upon approval of the federal Centers for Medicare and Medicaid Services, to require a Medicaid applicant to opt out if such applicant does not want to grant permission to the state to use his federal tax returns for the purposes of renewing eligibility. The department shall implement the necessary regulatory changes and other necessary measures to be consistent with federal approval of any appropriate State Plan changes, and prior to the completion of any regulatory process undertaken in order to effect such change.

O.1. The Department of Medical Assistance Services shall report on the operations and costs of the Medicaid call center (also known as the Cover Virginia Call Center). This report shall include the number of calls received on a monthly basis, the purpose of the call, the number of applications for Medicaid submitted through the call center, and the costs of the contract. The department shall submit the report by August 15 of each year to the Director, Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

2. Out of this appropriation, \$3,283,004 the first year and \$3,283,004 the second year from the general fund and \$9,839,000 the first year and \$9,839,000 the second year from nongeneral funds is provided for the enhanced operation of the Cover Virginia Call Center as a centralized eligibility processing unit (CPU) that shall be limited to processing Medicaid applications received from the Federally Facilitated Marketplace, telephonic applications through the call center, or electronically submitted Medicaid-only applications. The department shall report the number of applications processed on a monthly basis and payments made to the contractor to the Director, Department of Planning and Budget and the Chairman of the House Appropriations and Senate Finance and Appropriations Committees. The report shall be submitted no later than 60 days after the end of each quarter of the fiscal year.

P. Out of this appropriation, \$15,462,264 the first year and \$15,462,264 the second year from the general fund and \$62,407,632 the first year and \$62,407,632 the second year from nongeneral funds shall be provided to maintain and operate the Medicaid Enterprise System.

Q.1. Out of this appropriation, \$6,035,000 the first year and \$6,035,000 the second year from special funds is appropriated to the Department of Medical Assistance Services (DMAS) for the disbursement of civil money penalties (CMP) levied against and collected from Medicaid nursing facilities for violations of rules identified during survey and certification as required by federal law and regulation. Based on the nature and seriousness of the deficiency, the agency or the Centers for Medicare and Medicaid Services may impose a civil money penalty, consistent with the severity of the violations, for the number of days a facility is not in substantial compliance with the facility's Medicaid participation agreement. Civil money penalties collected by the Commonwealth must be applied to the protection of the health or property of residents of nursing facilities

ITEM 308.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
found to be deficient. Penalties collected are to be used for (1) the payment of costs incurred by the Commonwealth for relocating residents to other facilities; (2) payment of costs incurred by the Commonwealth related to operation of the facility pending correction of the deficiency or closure of the facility; and (3) reimbursement of residents for personal funds or property lost at a facility as a result of actions by the facility or individuals used by the facility to provide services to residents. These funds are to be administered in accordance with the revised federal regulations and law, 42 CFR 488.400 and the Social Security Act § 1919(h), for Enforcement of Compliance for Long-Term Care Facilities with Deficiencies. Any special fund revenue received for this purpose, but unexpended at the end of the fiscal year, shall remain in the fund for use in accordance with this provision.				
2. Of the amounts appropriated in Q.1. of this Item, up to \$225,000 the first year and \$225,000 the second year from special funds may be used for the costs associated with administering CMP funds.				
3. Of the amounts appropriated in Q.1. of this Item, up to \$2,310,000 the first year and \$2,310,000 the second year from the special funds may be used for special projects that benefit residents and improve the quality of nursing Facilities.				
4. Out of the amounts appropriated in Q.1. of this item, \$3,500,000 the first year and \$3,500,000 the second year from special funds shall be used for a quality improvement program addressing nursing facility capacity building. The program design may be based on the results of the Virginia Gold Quality Improvement Program pilot project, to include peer mentoring, job-related and interpersonal skills training, and work-related benefits. The Department of Medical Assistance Services shall seek approval from the Centers for Medicare & Medicaid Services (CMS) to implement the program.				
5. By October 1 of each year, the department shall provide an annual report of the previous fiscal year that includes the amount of revenue collected and spending activities to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget.				
6. No spending or activity authorized under the provisions of paragraph Q. of this Item shall necessitate general fund spending or require future obligations to the Commonwealth.				
7. The department shall maintain a CMP special fund balance of at least \$1.0 million to address emergency situations in Virginia's nursing facilities.				
8. The Department of Medical Assistance Services is authorized to administratively request up to \$2,000,000 of additional special fund appropriation for special projects if 1) the appropriated amounts in Q.3. are insufficient; and 2) such projects and costs are approved by the Centers for Medicare and Medicaid Services (CMS) for the Civil Money Penalty Reinvestment State Plan. The Department of Planning Budget shall approve such requests provided the required conditions are met.				
R. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to contract with the Virginia Center for Health Innovation for research, development and tracking of innovative approaches to healthcare delivery.				
S. The Department of Medical Assistance Services shall, prior to the end of each fiscal quarter, determine and properly reflect in the accounting system whether pharmacy rebates received in the quarter are related to fee-for-service or managed care expenditures and whether or not the rebates are prior year recoveries or expenditure refunds for the current year. The state share of pharmacy rebates for the quarter determined to be prior year revenue shall be deposited to the Virginia Health Care Fund before the end of the fiscal quarter. The department shall create and use a separate revenue source code to account for pharmacy rebates in the Virginia Health Care Fund.				
T. Out of this appropriation, \$87,500 the first year and \$87,500 the second year from the general fund and \$262,500 the first year and \$262,500 second year from nongeneral funds shall be provided for support of the All Payer Claims Database operated by Virginia Health Information. This appropriation is contingent on federal approval of an Operational Advanced Planning Document.				
U. Out of this appropriation, \$875,000 the first year and \$875,000 the second year from the				

ITEM 308.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>general fund and \$1,625,000 the first year and \$1,625,000 the second year from nongeneral funds is provided for the Department of Medical Assistance Services to amend the State Plan and any waivers under Title XXI to fund \$2,500,000 annually for three Poison Control centers serving Virginia as part of a Health Services Initiative. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this act.</p>				
<p>V. Notwithstanding any other provision of law, the Department of Medical Assistance Services (DMAS) shall have the authority to adjust the date of any agency payments should doing so allow the agency to maximize federal reimbursement. This language shall only apply to the extent that any impacted payments or reimbursements are allowable and appropriate under state and federal rules.</p>				
<p>W.1. Out of amounts appropriated in the items for this agency, \$598,763 the first year and \$598,763 the second year from the general fund and \$823,476 the first year and \$823,476 the second year from nongeneral funds is provided to support seven appeals staff positions that will respond to additional appeals and ensure regulatory compliance.</p>				
<p>2. The Department of Medical Assistance Services shall amend regulations to clarify (i) the burden of proof in client appeals; (ii) the scope of review for de novo hearings in client appeals, and (iii) the timeframes for submission of documents and decision deadlines for de novo client hearings. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.</p>				
<p>X. Out of this appropriation, \$447,700 the first year and \$447,700 the second year from the general fund and \$1,212,666 the first year and \$1,212,666 the second year from nongeneral funds is provided to implement the Virginia Facilitated Enrollment Program.</p>				
<p>Y. Out of this appropriation, \$1,319,515 the first year and \$1,319,515 the second year from the general fund and \$3,798,129 the first year and \$3,798,129 the second year from federal funds is provided to support the Emergency Department Care Coordination Program (EDCC) as allowed by the Centers for Medicare and Medicaid Services. The Department of Medical Assistance Services, in cooperation with the Virginia Department of Health, shall establish a work group comprised of the EDCC contractor, the Virginia Health Information, Medicaid and commercial managed care organizations, health systems with emergency departments and emergency department physicians to optimize the use of the system and any enhancements to the system to facilitate communication and collaboration among physicians, other healthcare providers and other clinical and care management personnel about patients receiving services in hospital emergency departments for the purpose of improving the quality of care.</p>				
<p>Z. Effective July 1, 2021, the Department of Medical Assistance Services shall implement an orientation program for Doula service providers.</p>				
<p>AA. Out of this appropriation, \$90,000 the first year and \$90,000 the second year from the general fund and \$90,000 the first year and \$90,000 the second year from federal funds shall be used by the agency to hire a full time employee in the provider reimbursement division. This employee shall have the actuarial and accounting experience necessary to provide ongoing expertise on nursing facility reimbursement and rate methodology issues.</p>				
<p>BB. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from the general fund and \$300,000 the first year and \$300,000 the second year from federal funds shall be used by the agency to hire five additional full-time employees to augment existing staff in the agency's finance division. Specifically, the Department of Medical Assistance Services shall hire three additional positions in the budget division, one additional position in the fiscal division and one additional position in the provider reimbursement division. The agency shall inform the Director, Department of Planning and Budget once these positions are hired. In addition, these positions shall be highlighted in the agency's annual organizational report.</p>				
<p>CC.1. The Department of Medical Assistance Services, in conjunction with relevant stakeholders, shall convene a workgroup to develop a plan for a neurobehavioral science unit and a waiver program for individuals with brain injury and neuro-cognitive disorders.</p>				

ITEM 308.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>The neurobehavioral science unit shall be considered as one of the alternative institutional placements for individuals needing these waiver services. The workgroup shall make recommendations in the plan related to relevant service definitions, administrative structure, eligibility criteria, reimbursement rates, evaluation, and estimated annual costs to reimburse for neurobehavioral institutional care and administration of the waiver program. The department shall include a rate methodology that supports institutional costs and waiver services.</p>				
<p>2. The department shall submit a report which outlines the recommendations for a neurobehavioral science unit, waiver program, and the service methodology to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022.</p>				
<p>DD. The Department of Medical Assistance Services and the Department of Planning and Budget shall evaluate the impact of merging the Commonwealth Care Coordinated Plus and Medallion 4.0 managed care programs to identify administrative cost savings and efficiencies that will result from combining the two programs and contracts. The departments shall develop a plan to achieve savings of at least \$1.0 million a year and shall report that plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by no later than October 1, 2022.</p>				
Total for Department of Medical Assistance Services.			<b>\$20,682,856,509</b>	<b>\$21,216,680,251</b>
General Fund Positions.....	266.02	263.52		
Nongeneral Fund Positions.....	276.98	274.48		
Position Level.....	543.00	538.00		
Fund Sources: General.....	\$5,824,897,704	\$6,244,987,584		
Special.....	\$7,329,800	\$7,329,800		
Dedicated Special Revenue.....	\$1,686,990,140	\$1,718,425,974		
Federal Trust.....	\$13,163,638,865	\$13,245,936,893		

**§ 1-94. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)**

309.	Regulation of Public Facilities and Services (56100)..			\$11,501,803	\$11,501,803
	Regulation of Health Care Service Providers (56103).	\$11,501,803	\$11,501,803		
	Fund Sources: General.....	\$7,420,610	\$7,420,610		
	Special.....	\$3,317,612	\$3,317,612		
	Federal Trust.....	\$763,581	\$763,581		

Authority: Title 37.2, Chapter 4, Code of Virginia.

The department shall post on its Web site information concerning (i) any application for initial licensure of or renewal of a license, denial of an application for an initial license or renewal of a license, or issuance of provisional licensure of for any residential facility for children located in the locality and (ii) all inspections and investigations of any residential facility for children licensed by the department, including copies of any reports of such inspections or investigations. Information concerning inspections and investigations of residential facilities for children shall be posted on the department's Web site within seven days of the issuance of any report and shall be maintained on the department's website for a period of at least six years from the date on which the report of the inspection or investigation was issued.

310.	<p>A. It is the intent of the General Assembly that the Department of Behavioral Health and Developmental Services proceed in transforming its system of care into a model that embodies best practices and state-of-the art services. The consumer-driven system of services and supports shall promote self-determination, empowerment, recovery, resilience, health, and the highest possible level of consumer participation in all aspects of community life. The transformed system shall include investments in a suitable array and adequate quantity of community-based services, with an emphasis on consumer choice and the appropriate use of facility resources. State facilities shall be redesigned to ensure high quality care, efficient operation, and capacity necessary for persons most in need of such care. Amounts authorized</p>				
------	---	--	--	--	--

ITEM 310.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>herein, and in related legislation, shall be used to support the transformation of the system of care and to promote the provision of behavioral health and developmental services in the most efficient and appropriate setting. The Department of Behavioral Health and Developmental Services may consider the use of public-private partnerships to deliver behavioral health and intellectual disability services as part of the comprehensive behavioral health and intellectual disability system of care, in facilities that are being planned for renovation or replacement. These partnerships may include contracts with private entities for facility operations, unless the Department of Behavioral Health and Developmental Services can demonstrate that continued state operation of the facility is at least as cost effective and provides at least an equivalent or higher level quality care than operation by a private entity.</p> <p>B. Notwithstanding any law to the contrary, on July 1, of each year, the State Comptroller shall transfer to the general fund any special revenue fund balance accumulated by the Department of Behavioral Health and Developmental Services in excess of \$25,000,000. Any special fund revenue allotted for the implementation of electronic health records shall not be counted in the balance.</p> <p>C.1. Notwithstanding §4-5.10, §4-5.09 of this Act and paragraph C. of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.</p> <p>2. Expenditures from the Behavioral Health and Developmental Services Trust Fund shall be subject to appropriation through an appropriations bill passed by the General Assembly.</p> <p>3. Any remaining appropriation at year end in the Behavioral Health and Developmental Services Trust Fund shall be carried forward to the subsequent fiscal year.</p> <p>D.1. Any funds appropriated in this act for the purpose of complying with the settlement agreement with the United States Department of Justice pursuant to civil action no: 3:12cv059-JAG that remain unspent at the end of each fiscal year shall be reported by the Department of Behavioral Health and Developmental Services to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by September 1 after the close of each fiscal year. The department shall include in its report each item and the amount of funding for such item that remains unspent, with an explanation for the remaining balance at year end.</p> <p>2. The Department of Behavioral Health and Developmental Services shall report on the status of compliance with the provisions of the settlement agreement with the United States Department of Justice pursuant to civil action no: 3:12cv059-JAG and shall: (i) list each noncompliant provision; (ii) the status of meeting the provision; (iii) the department's planned actions to achieve compliance; and (iv) the date the department expects to achieve compliance with the provision. The department shall report such information to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees quarterly, with each report due 30 days after the end of each quarter.</p> <p>E. The Department of Behavioral Health and Developmental Services shall, in its guidance, regulations and policies for Certified Prescreener Clinicians, related to educational and supervisory qualifications, ensure compliance with the process to allow experienced staff who do not meet the enhanced requirements to continue to practice as a Certified Prescreener Clinician as outlined in the 2016 memos and guidance from the department. The department shall not alter such requirements until July 1, 2023, or after a comprehensive review of Certified Prescreener Clinicians has been conducted.</p>				
311.	Administrative and Support Services (49900).....		\$129,607,903	\$128,262,769
	General Management and Direction (49901).....	\$22,884,269	\$19,871,519	

ITEM 311.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Information Technology Services (49902).....	\$46,101,030	\$49,069,136		
Architectural and Engineering Services (49904).....	\$2,776,224	\$2,776,224		
Collection and Locator Services (49905).....	\$3,427,387	\$3,427,387		
Human Resources Services (49914).....	\$682,230	\$682,230		
Planning and Evaluation Services (49916).....	\$3,626	\$3,626		
Program Development and Coordination (49933).....	\$53,733,137	\$52,432,647		
Fund Sources: General.....	\$83,189,309	\$77,440,300		
Special.....	\$14,544,137	\$17,276,798		
Dedicated Special Revenue.....	\$2,000,378	\$3,671,592		
Federal Trust.....	\$29,874,079	\$29,874,079		

Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at the beginning of each fiscal year, establish the current capacity for each facility within the system. When a facility becomes full, the commissioner or his designee shall give notice of the fact to all sheriffs.

B. The Commissioner, Department of Behavioral Health and Developmental Services shall work in conjunction with community services boards to develop and implement a graduated plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings generated from statewide gains in system efficiencies.

C. Notwithstanding § 4-5.09 of this act and paragraph C of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.

D. The Department of Behavioral Health and Developmental Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.

E. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with behavioral health treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.

F. Out of this appropriation, \$730,788 the first year and \$730,788 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

G. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services.

H.1. Out of this appropriation, \$554,975 the first year and \$554,975 the second year from the general fund shall be provided for clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment

2. Out of this appropriation, \$4,207,356 the first year and \$4,659,066 the second year from the general fund shall be provided for conditional release services, including treatment, and costs associated with contracting with Global Positioning System service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program

ITEM 311.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

but conditionally released as provided by the Department of Corrections, outlined in the Memorandum of Understanding between the two agencies and pursuant to §37.2-912 of the Code of Virginia.

I. Out of this appropriation, \$146,871 the first year and \$146,871 the second year from the general fund shall be used to operate a real-time reporting system for public and private acute psychiatric beds in the Commonwealth.

J. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1 of each year for the preceding fiscal year that provides information on the operation of Virginia's publicly-funded behavioral health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or Community Services Boards (CSB) services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year.

K. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be used for a comprehensive statewide suicide prevention program. The Commissioner of the Department of Behavioral Health and Developmental Services, in collaboration with the Departments of Health, Education, Veterans Services, Aging and Rehabilitative Services, and other partners shall develop and implement a statewide program of public education, evidence-based training, health and behavioral health provider capacity-building, and related suicide prevention activity.

L. The Department of Behavioral Health and Developmental Services in collaboration with the Department of Medical Assistance Services shall provide a detailed report for each fiscal year on the budget, expenditures, and number of recipients for each specific intellectual disability (ID) and developmental disability (DD) service provided through the Medicaid program or other programs in the Department of Behavioral Health and Developmental Services. This report shall also include the overall budget and expenditures for the ID, DD and Day Support waivers separately. The Department of Medical Assistance Services shall provide the necessary information to the Department of Behavioral Health and Developmental Services 90 days after the end of each fiscal year. This information shall be published on the Department of Behavioral Health and Developmental Services' website within 120 days after the end of each fiscal year.

M. Effective July 1, 2015, the Department of Behavioral Health and Developmental Services shall not charge any fee to Community Services Boards or private providers for use of the knowledge center, an on-line training system.

N. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund shall be used to provide mental health first aid training and certification to recognize and respond to mental or emotional distress. Funding shall be used to cover the cost of personnel dedicated to this activity, training, manuals, and certification for all those receiving the training.

O. Out of this appropriation, \$752,170 the first year and \$752,170 the second year from the general fund is provided to establish community support teams responsible for the development and oversight of a continuum of integrated community settings for individuals leaving state hospitals.

P. The Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services shall recognize Certified Employment Support Professional (CESP) and Association of Community Rehabilitation Educators (ACRE) certifications in lieu of competency requirements for supported employment staff in the developmental disability Medicaid waiver programs to allow providers that are Department of Aging and Rehabilitative Services (DARS) vendors that hold a national three-year accreditation from the National Council on Accreditation of Rehabilitation Facilities (CARF) to be deemed qualified to meet employment competency requirements.

ITEM 311.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
<p>Q. The Department of General Services, in cooperation with the Department of Behavioral Health and Developmental Services, shall work with James City County to identify a minimum of 10 acres on the Eastern State Hospital site for the location of a new facility for Colonial Behavioral Health, which may or may not include a joint facility with Olde Towne Medical Center. The subject acres shall be transferred to James City County upon such terms and conditions as may be agreed to by the parties.</p>				
<p>R.1. The Department of Behavioral Health and Developmental Services for each fiscal year shall report the number of waiver slots, by waiver, that becomes available for reallocation during the year. In addition, the department shall report on the allocation of emergency waiver slots and reserve slots, which shall include how many slots were allocated in the year and for which waiver. The information on reserve slots shall indicate for which waiver the reserve slot was used and the waiver from which the individual moved that was granted the slot. Furthermore, the report shall show the allocations by each Community Services Board from new waiver slots, emergency slots and reserve slots for the year. The department shall submit this report for the prior fiscal year, ending June 30, by September 1 of each year.</p>				
<p>2. The department shall report within 30 days after the close of each quarter, the number of new slots for the fiscal year that have been allocated by Community Services Boards and of those how many are accessing services. The report shall be provided on the department's website.</p>				
<p>S.1. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund is provided for compensation to individuals who were involuntarily sterilized pursuant to the Virginia Eugenic Sterilization Act and who were living as of February 1, 2015. Any funds that are appropriated but remain unspent at the end of the fiscal year shall be carried forward into the subsequent fiscal year in order to provide compensation to individuals who qualify for compensation.</p>				
<p>2. A claim may be submitted on behalf of an individual by a person lawfully authorized to act on the individual's behalf. A claim may be submitted by the estate of or personal representative of an individual who died on or after February 1, 2015.</p>				
<p>3. Reimbursement shall be contingent on the individual or their representative providing appropriate documentation and information to certify the claim under guidelines established by the department.</p>				
<p>4. Reimbursement per verified claim shall be \$25,000 and shall be contingent on funding being available, with disbursements being prioritized based on the date at which sufficient documentation is provided.</p>				
<p>5. Should the funding provided in the paragraph be exhausted prior to the end of the fiscal year, the department may use available special fund revenue balances to provide compensation. The department shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis on the number of additional individuals who have applied.</p>				
<p>T. The Department of Behavioral Health and Development Services and the Department of Medical Assistance Services shall not implement the proposed individualized supports budget process for the Medicaid Community Living, Family and Individual Support and Building Independence Waiver programs without the explicit authorization of the General Assembly through legislation or authorizing budget language.</p>				
<p>U. The Department of Behavioral Health and Developmental Services shall report on the allocation and funding for Programs of Assertive Community Treatment (PACT) in the Commonwealth. The report shall include information on the cost of each team, the cost per individual served and the cost effectiveness of each PACT in diverting individuals from state and local hospitalization and stabilizing individuals in the community. The department shall provide the report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by November 1, of each year.</p>				
<p>V. The Department of Behavioral Health and Developmental Services shall work with the Fairfax-Falls Church Community Services Board, and the provider, to ensure that future openings for the Miller House in Falls Church allow residents of Falls Church, that have been allocated a developmental disability waiver slot, be given first choice in the Miller House, if</p>				



ITEM 311.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

the group home is appropriate to meet their needs. In addition, the department shall work with the Community Services Board and the City of Falls Church to explore options for establishing a special allocation within the Community Services Board allocation of waiver slots for Falls Church residents who are on the Priority One waiting list and could live in the Miller House when future openings occur in the group home.

W. The Department of Behavioral Health and Developmental Services shall lease 25 acres of land at Eastern State Hospital to Hope Family Village Corporation for one dollar for the development of a village of residence and common areas to create a culture of self-care and neighborly support for families and their loved ones impacted by serious mental illness. The department shall work with the Hope Family Village Corporation to identify a 25 acre plot of land that is suitable for the project.

X. The Department of Behavioral Health and Developmental Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15, of each year.

Y. Notwithstanding the provisions of the Acts of Assembly, Chapter 610, of the 2019 Session or any other provision of law, the Department of General Services is hereby authorized to sell, pursuant to § 2.2-1156, certain real property in Carroll County outside the town of Hillsville on which the former Southwestern Virginia Training Center was situated, subject to the following conditions: (1) the sale price shall be, at a minimum, an amount sufficient to fully cover any debt or other financial obligations currently on the property; (2) the purchaser shall be responsible for all transactional expenses associated with the transfer of the property; and (3) the sale shall be made to a health care company that agrees to use the property for the provision of health care services for a minimum of five years established through a deed restriction.

Z. Included in this item is \$150,000 the first year and \$150,000 the second year from the general fund to support substance abuse treatment utilizing appropriate, long-acting, injectable prescription drug treatment regimens ("treatment") used in conjunction with drug treatment court programs. Such treatment may be utilized in approved drug treatment court programs. In allocating such funding, the department shall consider the rate of fatalities within the locality, whether a drug treatment court program is available and whether such program utilizes medication-assisted treatment. The drug treatment court programs utilizing this funding shall use these resources to support provider fees, counseling and patient monitoring for participants, and medication to participants in which the costs of treatment services would not otherwise be covered. The Department of Behavioral Health and Developmental Services shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1 of each year for the preceding fiscal year that provides information on the number of participants, the number of drug courts that utilized the funding and the number of treatments administered. Any adult drug treatment court that accesses this funding shall provide all necessary information to the Department of Behavioral Health and Developmental Services to prepare this report.

AA. 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.

BB.1. The Department of Behavioral Health and Developmental Services shall preserve historic microfiche records at Central State Hospital and work with interested partners to digitize such records to be added to the Central State Hospital Digital Library and Archives Project in order to make such information publicly available to researchers or other interested parties.

2. Out of this appropriation, \$150,000 the first year from the general fund shall be provided to digitize historic microfiche records of Central State Hospital to be added to the Central State Hospital Digital Library and Archives Project. The Department of

ITEM 311.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	Behavioral Health and Developmental Services shall coordinate with the Library of Virginia for the preservation efforts and future storage of such records.			
	CC. Out of this appropriation, \$3,012,750 the first year from the general fund is provided for a contract with the Virginia Health Care Foundation for a pilot to remove barriers to the mental health workforce, including the payment of supervisory hours for those individuals seeking degrees in social work and counseling.			
	DD. 1. Out of this appropriation \$900,000 the second year from the general fund shall be provided for underage marijuana use prevention initiatives.			
	2. Of the amounts provided in DD.1. \$900,000 is appropriated the second year for a contract with the Virginia Foundation for Healthy Youth to create a statewide marijuana and cannabis use prevention campaign to prevent underage use.			
	EE. Out of this appropriation, \$1,026,000 the first year and \$1,026,000 the second year from the general fund is provided for dementia behavioral specialists to provide training and consultative services and support.			
	FF. Out of this appropriation, \$1,671,214 the first year and \$1,671,214 the second year from the Crisis Call Center Fund is appropriated for costs associated with the establishment and operation of the 988 Crisis Call Center.			
	GG.1. Out of this appropriation, \$101,970 the first year and \$101,970 the second year shall be used to increase the number of tobacco retailer compliance inspections to be performed pursuant to a contract with the Virginia Alcoholic Beverage Control Authority.			
	2. The Department of Behavioral Health and Developmental Services, in consultation with the Virginia Alcoholic Beverage Control Authority, shall develop a plan to further increase the number of tobacco retailer compliance inspections to be completed annually for the purpose of reducing the retailer violation rate. The plan shall include identification of additional resources needed, alternative options for the provision of compliance checks, and any necessary legislative changes. The Department shall identify and pursue any applicable federal grants that may be used for the costs of implementing the plan. Agencies in the executive branch shall provide assistance as needed in development of the plan. The Department shall submit the plan by September 1, 2022 to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.			
	HH. Out of this appropriation, \$2,500,000 the first year from the general fund is provided for: (i) the Department of Behavioral Health and Developmental Services and partners to provide technical assistance to school divisions seeking guidance on integrating mental health services; and (ii) grants to school divisions to contract for community-based mental health services for students from public or private community-based providers. The department shall require the pilot programs to report back to the department on the success factors for integrating behavioral health in education settings and identify funding recommendations and resources needed to continue these efforts. The department shall report such information to the Behavioral Health Commission by September 1, 2023.			
	II. The Department of Behavioral Health and Developmental Services shall, in any fiscal year that new developmental disability waiver slots are authorized in this act, allocate such slots to the Community Services Boards and a Behavioral Health Authority by the first day of the fiscal year, such that the slots can be assigned to eligible individuals on the Priority One waiting list to access services as soon as possible.			
	JJ.1. The Department of Behavioral Health and Developmental Services shall establish a workgroup of relevant stakeholders to examine the Problem Gambling Treatment and Support Fund to determine the most effective strategies in serving individuals with gambling addiction. Specifically, the workgroup shall: (i) examine best practices and programs in other states; and (ii) determine whether the fund should support services at the Community Services Board level or statewide programs. The department shall report the findings and recommendations of the workgroup to the Governor and the Chairs of House Appropriations and Senate Finance and Appropriations Committees by November 15, 2022.			
	2. The Department of Behavioral Health and Developmental Services shall report annually, by September 1 of each year, on the revenue collections, expenditures and allocations of the			

ITEM 311.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
<p>Problem Gambling Treatment and Support Fund for the prior fiscal year to the Department of Planning and Budget and the Chairs of House Appropriations and Senate Finance and Appropriations Committees.</p> <p>KK. Effective July 1, 2023, the Department of Medical Assistance Services shall be responsible for all aspects of rate setting for Developmental Disability waiver services, which includes developing, analyzing, modifying, rebasing or implementing such rates. The Director, Department of Planning and Budget shall determine the amount of funding, and staffing, currently utilized by the Department for Behavioral Health and Developmental Services for rate setting activities, including contractual costs, and shall transfer such funding and positions, if so determined, to the Department of Medical Assistance Services by no later than October 15, 2023.</p> <p>LL. The Department of Behavioral Health and Developmental Services shall collect, or survey, Community Services Boards (CSBs) and the Behavioral Health Authority (BHA) on compensation of their employees by position type, which shall include average salary and turnover and vacancy data, and any other relevant data the department determines as necessary to assist in developing a proposal to address compensation issues for consideration in the 2023 Session. The department shall report the data, by CSB and BHA, along with any findings and recommendations to address compensation issues to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by no later than October 15, 2022.</p>					
312.	Central Office Managed Community and Individual Health Services (44400).....			\$83,241,431	\$78,300,847
	Individual and Developmental Disability Services (44401).....	\$6,709,379	\$6,709,379		
	Mental Health Services (44402).....	\$74,482,052	\$69,541,468		
	Substance Abuse Services (44403).....	\$2,050,000	\$2,050,000		
	Fund Sources: General.....	\$82,257,776	\$77,317,192		
	Special.....	\$983,655	\$983,655		

Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. Out of this appropriation, \$5,050,000 the first year and \$5,050,000 the second year from the general fund shall be used for Developmental Disability Health Support Networks in regions served, or previously served, by Southside Virginia Training Center, Central Virginia Training Center, Northern Virginia Training Center, and Southwestern Virginia Training Center.

B. Out of this appropriation, \$705,000 the first year and \$705,000 the second year from the general fund shall be used to provide community-based services to individuals transitioning from state training centers to community settings who are not eligible for Medicaid.

C.1. Out of this appropriation, \$27,722,785 the first year and \$27,722,785 the second year from the general fund shall be used to address census issues at state facilities by providing community-based services for those individuals determined clinically ready for discharge or for the diversion of admissions to state facilities by purchasing acute inpatient or community-based psychiatric services.

2. Out of this appropriation, \$2,500,000 the first year and \$2,500,000 the second year from the general fund is provided for the development or acquisition of clinically appropriate housing options to provide comprehensive community-based care for individuals in state hospitals who have complex and resource-intensive needs who have been clinically determined able to move from a hospital to a more integrated setting. In addition to the funds in this Item, \$250,000 the first year and \$250,000 the second year from the general fund is provided in Item 311 of this Act for a community support team to assist housing providers in addressing the complex needs of residents who have been discharged from state facilities or individuals who are at risk of institutionalization.

3. In addition to the amounts in C.1. above, \$770,000 the first year and \$770,000 the second year is provided to improve clinical and financial tracking of Discharge Assistance

ITEM 312.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	Planning funds and Local Inpatient Purchase of Services funds through the purchase of an information technology solution.			
	4. In addition to the amounts in C.1. above, \$400,000 the first year is provided for the costs of a contract to study and implement rates for services provided with Discharge Assistance Planning funds. No fewer than ninety days prior to implementing any rate structure recommended by the study, the Department of Behavioral Health and Developmental Services shall report the results of the rate study and the projected impact of any changes in rates to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committee. This report shall be due no later than June 30, 2023.			
	D. Out of this appropriation, \$6,429,216 the first year and \$6,429,216 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to provide alternative transportation for adults and children under a temporary detention order on a statewide basis.. The department shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the effectiveness and outcomes of the program funding by October 1 of each year.			
	E. Out of this appropriation, \$1,150,000 the first year and \$1,150,000 the second year from the general fund shall be provided for costs of transporting individuals from state behavioral health facilities to their homes after being discharged from such facility as a result from an admission under a temporary detention order.			
	F. Out of this appropriation, \$2,000,000 the first year and \$3,359,416 the second year from the general fund is provided for a program of alternative custody for individuals under a temporary detention order who are awaiting transport to an inpatient bed. The Department of Behavioral Health and Developmental Services, in consultation with local law enforcement, community services boards, and other stakeholders as appropriate, shall implement a plan to provide alternative custody options for individuals under temporary detention orders to reduce the length of time law enforcement resources are involved and improve patient outcomes.			
	G. Out of this appropriation, \$6,885,488 the first year and \$6,885,488 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with the Virginia Mental Health Access Program to develop integrated mental health services for children.			
	H. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from the general fund shall be used to purchase and distribute additional REVIVE! kits and associated doses of naloxone used to treat emergency cases of opioid overdose or suspected opioid overdose.			
	I. Out of this appropriation, \$8,400,000 in the first year and \$8,400,000 the second year from the general fund shall be used to address census issues at state facilities by providing community-based services for children and adolescents determined clinically ready for discharge or for the diversion of admissions of children and adolescents to state facilities by purchasing acute inpatient services, step-down services, or community-based services as an alternative to inpatient care.			
	J. The Department of Behavioral Health and Developmental Services shall post its annual federal State Targeted Response Report and State Opioid Response (SOR) Report on its website no later than December 31 of each year. The report will describe the amount of any grants received from the Substance Abuse and Mental Health Services Administration as part of any State Opioid Response grant funding, and shall provide information on how the funds are distributed among programs, the number of individuals served if available, and any available outcome-based data specific to treatment engagement and impact on access.			
	K. Out of this appropriation, \$89,396 the first year and \$89,396 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with the Jewish Foundation for Group Homes to expand the Transitioning Youth program for individuals with developmental disability who are aging out and exiting the school system in Loudoun County.			
	L1. Out of this appropriation, \$1,700,000 the first year and \$1,700,000 the second year is provided to make grants to members of the Virginia Association of Recovery Residences for recovery support services. The association must ensure that members accredited by the			

ITEM 312.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Council on Accreditation of Peer Recovery Support Services (CAPRSS) receive a share of these funds. The Department of Behavioral Health and Developmental Services shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by August 1, 2023, and each year thereafter, on the distribution and use of the funds authorized in this paragraph.</p>				
<p>2. The Department of Behavioral Health and Developmental Services shall monitor credentialed recovery homes for regulatory compliance and consult with the Virginia Association of Recovery Residences to keep the agency's public website's list of credentialed recovery homes up to date.</p>				
<p>M.1. Out of this appropriation, \$3,547,000 the first year and \$3,547,000 the second year from the general fund shall be used to support the diversion and discharge of individuals with a diagnosis of dementia. Priority shall be given to those individuals who would otherwise be served by state facilities.</p>				
<p>2. Of the amounts in M.1., \$2,820,000 in each year shall be used to establish contracts to support the diversion and discharge into private settings of individuals with a diagnosis of dementia.</p>				
<p>3. Of the amounts in M.1., \$727,000 in each year shall be used for a pilot mobile crisis program targeted for individuals with a diagnosis of dementia.</p>				
<p>N. Out of this appropriation, \$8,774,784 the first year and \$8,774,784 the second year from the general fund is provided from a transfer from Item 313 for Community Services Boards and a Behavioral Health Authority to divert admissions from state hospitals by purchasing acute inpatient or community-based psychiatric services at private facilities. This funding shall continue to be allocated to Community Services Boards and a Behavioral Health Authority for such purpose in an efficient and effective manner so as not to disrupt local service contracts and to allow for expeditious reallocation of unspent funding between Community Services Boards and a Behavioral Health Authority.</p>				
<p>O. Out of this appropriation, \$7,500,000 the first year and \$7,500,000 the second year from the general fund is provided for the Department of Behavioral Health and Developmental Services (DBHDS) to pursue alternative inpatient options to state behavioral health hospital care or to increase capacity in the community for patients on the Extraordinary Barriers List through projects that will reduce census pressures on state hospitals. Proposals shall be evaluated on: (i) the expected impact on state hospital bed use, including the impact on the extraordinary barrier list; (ii) the speed by which the project can become operational; (iii) the start-up and ongoing costs of the project; (iv) the sustainability of the project without the use of ongoing general funds; (v) the alignment between the project target population and the population currently being admitted to state hospitals; and (vi) the applicant's history of success in meeting the needs of the target population. No project shall be allocated more than \$2,500,000 each year. Projects may include public-private partnerships, to include contracts with private entities. The department shall give preference to projects that serve individuals who would otherwise be admitted to a state hospital operated by DBHDS, that can be rapidly implemented, and provide the best long-term outcomes for patients. Consideration may be given to regional projects addressing comprehensive psychiatric emergency services, complex medical and neuro-developmental needs of children and adolescents receiving inpatient behavioral health services, and addressing complex medical needs of adults receiving inpatient behavioral health services.</p>				
<p>P. Out of this appropriation, \$1,650,000 the second year from the general fund is provided for pilot programs for individuals with dementia who may otherwise be admitted to a state facility. In addition to the funds provided in this Item, \$1,650,000 the first year is provided for these purposes in Item 486 out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.</p>				
<p>Q. Out of this appropriation, \$2,500,000 the first year from the general fund shall be provided for one-time start-up costs for the Northwestern Crisis Response Center to provide crisis services for 23 hours per day, seven days per week to individuals with a mental illness.</p>				

ITEM 312.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
R. Out of this appropriation, \$2,500,000 the first year from the general fund shall be provided for one-time start-up costs to establish a crisis receiving center in Southwest Virginia.				
S. Out of this appropriation, \$2,500,000 the first year from the general fund shall be provided for one-time start-up costs to establish a crisis receiving center in Prince William County.				
T. Out of this appropriation, \$50,000 the first year from the general fund shall be provided to contract with Restoration and Hope House to provide for housing and programs for nonviolent offenders looking to transition back into the community.				
U. The Department of Behavioral Health and Developmental Services is authorized to enter into a contract for use of up to eight beds of a 20-bed acute, inpatient psychiatric unit at Chesapeake Regional Healthcare for state purposes to increase diversion from state mental health hospitals. The department shall begin developing the contract after Chesapeake Regional Healthcare starts construction of the 20-bed acute, inpatient psychiatric unit. As part of the contracting process, the department shall develop an estimate of the potential cost savings of diversion from state hospital beds that could occur with use of the eight beds and provide an estimated annual state contribution to support Chesapeake Regional Healthcare. The department shall execute the contract contingent on an appropriation by the General Assembly. The department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year on the status of the contract and any state contribution that has been estimated.				
V. The Department of Behavioral Health and Developmental Services is authorized to accept unsolicited proposals from private providers to establish a pilot project for the purpose of acquiring clinically appropriate housing options for individuals on the Extraordinary Barriers List or to prevent unnecessary hospitalizations for appropriate individuals to address census issues at state facilities.				
Total for Department of Behavioral Health and Developmental Services.....			<b>\$224,351,137</b>	<b>\$218,065,419</b>
General Fund Positions.....	518.50	518.50		
Nongeneral Fund Positions.....	46.75	46.75		
Position Level.....	565.25	565.25		
Fund Sources: General.....	\$172,867,695	\$162,178,102		
Special.....	\$18,845,404	\$21,578,065		
Dedicated Special Revenue.....	\$2,000,378	\$3,671,592		
Federal Trust.....	\$30,637,660	\$30,637,660		
<b>Grants to Localities (790)</b>				
313. Financial Assistance for Health Services (44500).....			\$591,923,587	\$655,486,687
Community Substance Abuse Services (44501).....	\$125,418,211	\$125,483,993		
Community Mental Health Services (44506).....	\$360,089,572	\$421,914,170		
Community Developmental Disability Services (44507).....	\$106,415,804	\$108,088,524		
Fund Sources: General.....	\$497,191,587	\$558,032,889		
Dedicated Special Revenue.....	\$4,732,000	\$7,453,798		
Federal Trust.....	\$90,000,000	\$90,000,000		

Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.

A. It is the intent of the General Assembly that community mental health, intellectual disability and substance abuse services are to be improved throughout the state. Funds provided in this Item shall not be used to supplant the funding effort provided by localities for services existing as of June 30, 1996.

B. Further, it is the intent of the General Assembly that funds appropriated for this Item may be used by Community Services Boards to purchase, develop, lease, or otherwise obtain, in accordance with §§ 37.2-504 and 37.2-605, Code of Virginia, real property necessary to the provision of residential services funded by this Item.

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>C. Out of the appropriation for this Item, funds are provided to Community Services Boards in an amount sufficient to reimburse the Virginia Housing Development Authority for principal and interest payments on residential projects for the mentally disabled financed by the Housing Authority.</p>				
<p>D. The Department of Behavioral Health and Developmental Services shall make all general fund payments to the Community Services Boards from this Item in twenty-four equal semimonthly installments, except for necessary budget revisions or the operational phase-in of new programs.</p>				
<p>E. Failure of a board to participate in Medicaid covered services and to meet all requirements for provider participation shall result in the termination of a like amount of state grant support.</p>				
<p>F. Community Services Boards may establish a line of credit loan for up to three months' operating expenses to assure adequate cash flow.</p>				
<p>G. Out of this appropriation \$190,000 the first year and \$190,000 the second year from the general fund shall be provided to Virginia Commonwealth University for the continued operation and expansion of the Virginia Autism Resource Center.</p>				
<p>H.1. Out of this appropriation, \$26,556,453 the first year and \$26,556,453 the second year from the general fund shall be provided for Virginia's Part C Early Intervention System for infants and toddlers with disabilities.</p>				
<p>2. By November 15 of each year, the department shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the (a) total revenues used to support Part C services, (b) total expenses for all Part C services, (c) total number of infants, toddlers and families served using all Part C revenues, and (d) services provided to those infants, toddlers, and families.</p>				
<p>I. Out of this appropriation \$6,148,128 the first year and \$6,148,128 the second year from the general fund shall be provided for mental health services for children and adolescents with serious emotional disturbances, at risk for serious emotional disturbance, and/or with co-occurring disorders with priority placed on those children who, absent services, are at-risk for removal from the home due to placement by a local department of social services, admission to a congregate care facility or acute care psychiatric hospital or crisis stabilization facility, commitment to the Department of Juvenile Justice, or parental custody relinquishment. These funds shall be used exclusively for children and adolescents, not mandated for services under the Children's Services Act. The Department of Behavioral Health and Developmental Services shall provide these funds to Community Services Boards through the annual Performance Contract. The Community Services Boards shall develop a Mental Health Initiative funding plan in collaboration with the local Family and Assessment Planning Teams and/or Community Policy and Management Team. The funding plan shall be approved by the Community Policy and Management Teams of the localities. The department shall provide these funds to the Community Services Boards based on a funding methodology.</p>				
<p>J. The Commissioner, Department of Behavioral Health and Developmental Services shall allocate \$1,000,000 the first year and \$1,000,000 the second year from the federal Community Mental Health Services Block Grant for two specialized geriatric mental health services programs. One program shall be located in Health Planning Region II and one shall be located in Health Planning Region V. The programs shall serve elderly populations with mental illness who are transitioning from state mental health geriatric units to the community or who are at risk of admission to state mental health geriatric units. The commissioner is authorized to reduce the allocation in each year in an amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.</p>				
<p>K. The Commissioner, Department of Behavioral Health and Developmental Services shall allocate \$750,000 the first year and \$750,000 the second year from the federal Community Mental Health Services Block Grant for consumer-directed programs offering specialized mental health services that promote wellness, recovery and improved self-management. The commissioner is authorized to reduce the allocation in each year in an</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.			
	L. Out of this appropriation, \$2,197,050 the first year and \$2,197,050 the second year from the general fund shall be used for jail diversion and reentry services. Funds shall be distributed to community-based contractors based on need and community preparedness as determined by the commissioner.			
	M. Out of this appropriation, \$2,400,000 the first year and \$2,400,000 the second year from the general fund shall be used for treatment and support services for substance use disorders, including individuals with acquired brain injury and co-occurring substance use disorders. Funded services shall focus on recovery models and the use of best practices.			
	N. Out of this appropriation, \$2,780,645 the first year and \$2,780,645 the second year from the general fund shall be used to provide outpatient clinician services to children with mental health needs. Each Community Services Board shall receive funding as determined by the commissioner to increase the availability of specialized mental health services for children. The department shall require that each Community Services Board receiving these funds agree to cooperate with Court Service Units in their catchment areas to provide services to mandated and nonmandated children, in their communities, who have been brought before Juvenile and Domestic Relations Courts and for whom treatment services are needed to reduce the risk these children pose to themselves and their communities or who have been referred for services through family assessment and planning teams through the Children's Services Act.			
	O. Out of this appropriation, \$17,701,997 the first year and \$17,701,997 the second year from the general fund shall be used to provide emergency services, crisis stabilization services, case management, and inpatient and outpatient mental health services for individuals who are in need of emergency mental health services or who meet the criteria for mental health treatment set forth pursuant to §§ 19.2-169.6, 19.2-176, 19.2-177.1, 37.2-808, 37.2-809, 37.2-813, 37.2-815, 37.2-816, 37.2-817 and 53.1-40.2 of the Code of Virginia. Funding provided in this item also shall be used to offset the fiscal impact of (i) establishing and providing mandatory outpatient treatment, pursuant to House Bill 499 and Senate Bill 246, 2008 Session of General Assembly; and (ii) attendance at involuntary commitment hearings by community services board staff who have completed the prescreening report, pursuant to §§ 19.2-169.6, 19.2-176, 19.2-177.1, 37.2-808, 37.2-809, 37.2-813, 37.2-815, 37.2-816, 37.2-817 and 53.1-40.2 of the Code of Virginia.			
	P. Out of this appropriation, \$10,475,000 the first year and \$10,475,000 the second year from the general fund shall be used to provide community crisis intervention services in each region for individuals with intellectual or developmental disabilities and co-occurring mental health or behavioral disorders.			
	Q. Out of this appropriation, \$1,900,000 the first year and \$1,900,000 the second year from the general fund shall be used for community-based services in Health Planning Region V. These funds shall be used for services intended to delay or deter placement, or provide discharge assistance for patients in a state mental health facility.			
	R. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the general fund shall be used for crisis stabilization and related services statewide intended to delay or deter placement in a state mental health facility.			
	S. Out of this appropriation, \$8,400,000 the first year and \$8,400,000 the second year from the general fund shall be used to provide child psychiatry and children's crisis response services for children with mental health and behavioral disorders. These funds, divided among the health planning regions based on the current availability of the services, shall be used to hire or contract with child psychiatrists who can provide direct clinical services, including crisis response services, as well as training and consultation with other children's health care providers in the health planning region such as general practitioners, pediatricians, nurse practitioners, and community service boards staff, to increase their expertise in the prevention, diagnosis, and treatment of children with mental health disorders. Funds may also be used to create new or enhance existing community-based crisis response services in a health planning region, including mobile crisis teams and crisis stabilization services, with the goal of diverting children from inpatient psychiatric hospitalization to less restrictive services in or			



ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>near their communities. The Department of Behavioral Health and Developmental Services shall include details on the use of these funds in its annual report on the System Transformation, Excellence and Performance in Virginia (STEP-VA) process.</p>				
<p>T.1. Out of this appropriation, \$10,500,000 the first year and \$10,500,000 the second year from the general fund shall be used for up to 32 drop-off centers to provide an alternative to incarceration for people with serious mental illness and individuals with acquired brain injury and co-occurring serious mental health illness. Priority for new funding shall be given to programs that have implemented Crisis Intervention Teams pursuant to § 9.1-102 and § 9.1-187 et seq. of the Code of Virginia and have undergone planning to implement drop-off centers.</p>				
<p>2. Out of this appropriation, \$1,800,000 the first year and \$1,800,000 the second year from the general fund is provided for Crisis Intervention assessment centers in six unserved rural communities.</p>				
<p>3. Out of this appropriation, \$657,648 the first year and \$657,648 the second year from the general fund is provided to support CIT initiatives, including basic and advanced CIT training and law enforcement diversion, through one-time awards for advanced concepts in CIT Assessment Site programs. The department shall prioritize programs serving rural communities when determining the distribution of these funds.</p>				
<p>U. Out of this appropriation, \$2,750,000 the first year and \$2,750,000 the second year from the general fund shall be for crisis services for children with intellectual or developmental disabilities.</p>				
<p>V. Out of this appropriation, \$35,500,411 the first year and \$35,500,411 the second year from the general fund shall be used to provide community-based services or acute inpatient services in a private facility to individuals residing in state hospitals who have been determined clinically ready for discharge, and for continued services for those individuals currently being served under a discharge assistance plan. Of this appropriation, \$1,305,000 the first year and \$1,305,000 the second year shall be allocated for individuals currently or previously residing at Western State Hospital.</p>				
<p>W. Out of this appropriation, \$620,000 the first year and \$620,000 the second year from the general fund shall be used for telepsychiatry and telemedicine services.</p>				
<p>X. Out of this appropriation, \$4,000,000 the first year and \$4,000,000 the second year from the general fund shall be used for community-based mental health outpatient services for youth and young adults.</p>				
<p>Y. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be used to increase mental health inpatient treatment purchased in community hospitals. Priority shall be given to regions that exhaust available resources before the end of the year in order to ensure treatment is provided in the community and does not result in more restrictive placements.</p>				
<p>Z.1. Out of this appropriation, \$42,788,710 the first year and \$50,588,710 the second year from the general fund is provided for programs for permanent supportive housing for individuals with serious mental illness.</p>				
<p>2. The Department of Behavioral Health and Developmental Services shall report on the number of individuals who are discharged from state behavioral health hospitals who receive supportive housing services, the number of individuals who are on the hospitals' extraordinary barrier list who could receive supportive housing services, and the number of individuals in the community who receive supportive housing services and whether they are at risk of institutionalization. In addition, the department shall report on the average length of stay in permanent supportive housing for individuals receiving such services and report how the funding is reinvested when individuals discontinue receiving such services. The report shall be provided to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committee by November 1 of each year.</p>				
<p>3. In addition to the amounts provided in Z.1., \$2,500,000 the first year and \$2,500,000 the second year from the general fund is provided for permanent supportive housing for individuals with serious mental illness residing in the Northern Virginia region.</p>				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
AA.	Out of this appropriation, \$14,512,833 the first year and \$16,185,533 the second year from the general fund shall be used for a program of rental subsidies for individuals with intellectual or developmental disabilities.			
BB.	Out of this appropriation, \$5,000,000 the first year and \$5,000,000 the second year from the general fund is provided to increase access to medication assisted treatment for individuals with substance use disorders. In expending this amount, the department shall ensure that a portion of the funding received by the Community Services Board or Behavioral Health Authority is used for appropriate long-acting, injectable prescription drug treatment regimens for individuals who are in need of medication assisted treatment while (i) on probation, (ii) incarcerated, or (iii) upon their release to the community. The department shall ensure that a portion of the funding received by the Community Services Board or Behavioral Health Authority is used for non-narcotic, non-addictive prescription drug treatment regimens for individuals who are not able for clinical or other reasons to participate in buprenorphine or methadone based drug treatment regimens. In expending the funding, Community Services Boards or a Behavioral Health Authority shall also prioritize the use of such funds for individuals who are not covered by insurance.			
CC.	Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund is provided for community detoxification and sobriety services for individuals in crisis.			
DD.	Out of this appropriation, \$880,000 the first year and \$880,000 the second year from the general fund is provided for one regional, multi-disciplinary team for older adults. This team shall provide clinical, medical, nursing, and behavioral expertise and psychiatric services to nursing facilities and assisted living facilities.			
EE.	Out of this appropriation, \$3,367,945 the first year and \$3,433,727 the second year from the general fund shall be used to provide permanent supportive housing to pregnant or parenting women with substance use disorders.			
FF.	Out of this appropriation, \$2,250,447 the first year and \$2,250,447 the second year from the general fund shall be used to divert admissions from state hospitals by purchasing acute inpatient or community-based psychiatric services at private facilities.			
GG.	Out of this appropriation, \$3,700,800 the first year and \$3,700,800 the second year from the general fund is provided for discharge planning at jails for individuals with serious mental illness. Funding shall be used to create staff positions in Community Services Boards may also be used for emergency client assistance resources and will be implemented in at least five jails with a high percentage of inmates with serious mental illness.			
HH.	Out of this appropriation, \$708,663 the first year and \$708,663 the second year from the general fund is provided to establish an Intercept 2 diversion program in up to three rural communities. The funding shall be used for staffing and to provide access to treatment services.			
II.	Out of this appropriation, \$1,100,000 the first year and \$1,100,000 the second year from the general fund is provided to establish the Appalachian Telemental Health Initiative, a telemental health pilot program. Any funds that remain unspent at the end of each fiscal year shall be carried forward to the subsequent fiscal year for these purposes.			
JJ.	Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with Best Buddies Virginia to expand inclusion services for people with intellectual and developmental disabilities to the Richmond and Virginia Beach areas of the state.			
KK.	Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund is provided to the Fairfax-Falls Church Community Services Board to fully fund its Program of Assertive Community Treatment (PACT) Team.			
LL.1.	Out of this appropriation, \$77,919,074 the first year and \$117,221,375 the second year from the general fund and \$4,732,000 the first year and \$7,453,798 the second year from the Crisis Call Center Fund is provided for services by Community Services Boards and			

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Behavioral Health Authorities pursuant to the System Transformation, Excellence and Performance in Virginia (STEP-VA) process and Chapters 607 and 683, 2017 Acts of Assembly.				
2. Of the amounts in LL.1., \$10,795,651 the first year and \$10,795,651 the second year from the general fund is provided for same day access to mental health screening services.				
3. Of the amounts in LL.1., \$7,440,000 the first year and \$7,440,000 the second year from the general fund is provided for primary care outpatient screening services.				
4. Of the amounts in LL.1., \$21,924,980 the first year and \$21,924,980 the second year from the general fund is provided for outpatient mental health and substance use services.				
5. Out of the amounts in LL.1., \$2,000,000 the first year and \$2,000,000 the second year from the general fund is provided for crisis detoxification services.				
6. Out of the amounts in LL.1., \$13,954,924 the first year and \$26,954,924 the second year from the general fund is provided for crisis services for individuals with mental health or substance use disorders. In addition to the funds provided in this Item, \$13,000,000 the first year is provided for these purposes in Item 486 of this Act out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.				
7. Out of the amounts in LL.1., \$3,840,490 the first year and \$3,840,490 the second year from the general fund is provided for military and veterans services.				
8. Out of the amounts in LL.1., \$5,334,000 the first year and \$5,334,000 the second year from the general fund is provided for peer support and family services.				
9. Out of the amounts in LL.1., \$7,762,376 the first year from American Rescue Plan Act funds and \$3,199,999 the first year and \$10,962,375 the second year from the general fund is provided for the ancillary costs of expanding services at Community Services Boards and Behavioral Health Authorities.				
10. Out of the amounts in LL.1., \$4,732,000 the first year and \$2,732,000 the second year from the general fund and \$4,732,000 the first year and \$7,453,798 the second year from the Crisis Call Center Fund is provided for crisis call center dispatch staff.				
11. Out of the amounts in LL.1., \$2,190,000 the first year from American Rescue Act Plan funds and \$3,820,000 the second year from the general fund is provided for psychiatric rehabilitation services.				
12. Out of the amounts in LL.1., \$6,514,625 the first year from American Rescue Act Plan funds and \$6,514,625 the second year from the general fund is provided for care coordination services.				
13. Out of the amounts in LL.1., \$3,178,500 the first year from American Rescue Act Plan funds and \$4,078,500 the second year from the general fund is provided for STEP-VA-specific case management services.				
14. Out of the amounts in LL.1., \$937,300 the second year from the general fund is provided for regional management of STEP-VA services.				
15. Out of the amounts in LL.1. \$2,600,000 the first year from American Rescue Act Plan funds and \$5,190,000 the second year from the general fund is provided for one-time grants to Community Services Boards for the cost of transitioning data systems and clinical processes.				
MM. Out of this appropriation, \$6,000,000 the first year and \$6,000,000 the second year from the general fund shall be provided to establish mental health awareness response and community understanding services alert system programs and community care teams pursuant to legislation adopted in the 2020 Special Session I of the General Assembly. Each local or regional implementation area program shall receive \$600,000 each year for this purpose.				
NN. The Department of Behavioral and Health and Developmental Services shall have the authority to promulgate emergency regulations for the Individual and Family Supports				

ITEM 313.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Program (IFSP) to ensure an annual public input process that shall include a survey of needs and satisfaction in order to establish plans for the disbursement of IFSP funding in consultation with the IFSP State Council. Based on the Council's recommendation and information gathered during the public input period, the department will draft program guidelines to establish annual funding priorities. The department will establish program criteria for each of the required program categories and publish them as part of the Annual Funding Program Guidelines. Additionally, program guidelines shall establish eligibility criteria, the award process, appeals processes, and any other protocols necessary for ensuring the effective use of state funds. All criteria will be published prior to opening the funding opportunity.</p> <p>OO. Out of this appropriation, \$650,000 the first year and \$650,000 the second year from the general fund shall be used to expand and provide additional support to existing mental health dockets.</p> <p>PP. Out of this appropriation, \$5,000,000 the second year from the general fund is provided for substance use disorder-specific training of the intellectual disability and developmental disability provider workforce, the development and implementation of substance use disorder treatment services specific to transition age youth up the age of 25, and additional critical substance use disorder services related to the COVID-19 pandemic. In addition to the funds included in this Item, \$5,000,000 the first year is provided for these purposes in Item 486 of this Act out of revenues received from the federal distributions of the American Rescue Plan Act of 2021.</p> <p>QQ.1. Out of this appropriation, \$2,000,000 the first year and \$9,000,000 the second year from the general fund shall be provided for the costs of Crisis Intervention Team Assessment Centers or Crisis Stabilization Units that have expanded, or intend to expand, to 23 hour crisis receiving or observation centers. In addition to the funds included in this Item, \$7,000,000 the first year is provided for these purposes in Item 486 of this Act out of revenues received from the federal distributions of the American Rescue Plan Act of 2021.</p> <p>2. Out of the amounts appropriated in paragraph QQ.1. of this item, an amount necessary to develop and implement a crisis receiving center serving adults ages 18 and older in the Region 2000 area (Amherst County, Appomattox County, Bedford County, Campbell County, and Lynchburg City) shall be allocated for this purpose by the Department of Behavioral Health and Developmental Services, which shall contract with Horizon Behavioral Health to implement the crisis receiving center. As part of the contract with Horizon Behavioral Health, the department shall require the establishment of an advisory board with law enforcement representatives from the Region 2000 localities to oversee, including financial oversight, and provide governance of the crisis receiving center.</p> <p>3. The Department of Behavioral Health and Developmental Services shall ensure that health systems, hospitals, and other community providers are eligible to participate in developing and implementing 23-hour crisis receiving or observation centers.</p>				
			<b>\$591,923,587</b>	<b>\$655,486,687</b>
	Fund Sources: General.....	\$497,191,587	\$558,032,889	
	Dedicated Special Revenue.....	\$4,732,000	\$7,453,798	
	Federal Trust.....	\$90,000,000	\$90,000,000	
<b>Mental Health Treatment Centers (792)</b>				
314.	Instruction (19700).....		\$176,397	\$176,397
	Facility-Based Education and Skills Training (19708).....	\$176,397	\$176,397	
	Fund Sources: General.....	\$34,569	\$34,569	
	Special.....	\$5,328	\$5,328	
	Federal Trust.....	\$136,500	\$136,500	
<p>Authority: §§ 37.2-312 and 37.2-713, Code of Virginia; P.L. 102-73 and P.L. 102-119, Federal Code.</p>				
315.	Secure Confinement (35700).....		\$21,246,650	\$21,246,650

ITEM 315.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Forensic and Behavioral Rehabilitation Security (35707).....	\$21,246,650	\$21,246,650		
Fund Sources: General.....	\$20,802,193	\$20,802,193		
Special.....	\$444,457	\$444,457		
Authority: Title 37.2, Chapter 9, Code of Virginia.				
316. Pharmacy Services (42100).....			\$22,339,849	\$22,339,849
Inpatient Pharmacy Services (42102).....	\$22,339,849	\$22,339,849		
Fund Sources: General.....	\$9,908,759	\$9,908,759		
Special.....	\$12,431,090	\$12,431,090		
Authority: Title 37.2, Chapter 8, Code of Virginia.				
317. State Health Services (43000).....			\$304,888,516	\$301,774,574
Geriatric Care Services (43006).....	\$51,321,415	\$51,321,415		
Inpatient Medical Services (43007).....	\$18,484,201	\$18,484,201		
State Mental Health Facility Services (43014).....	\$235,082,900	\$231,968,958		
Fund Sources: General.....	\$278,251,773	\$275,137,831		
Special.....	\$26,636,743	\$26,636,743		
Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.				
<p>A. Out of this appropriation, \$700,000 the first year and \$700,000 the second year from the general fund shall be used to continue operating up to 13 beds at Northern Virginia Mental Health Institute (NVMHI) that had been scheduled for closure in fiscal year 2013. The Commissioner of the Department of Behavioral Health and Developmental Services shall ensure continued operation of at least 123 beds.</p> <p>B. The Department of Behavioral Health and Developmental Services shall report by November 1 of each year to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the number of individuals served through discharge assistance plans and the types of services provided.</p> <p>C. Out of this appropriation, \$137,000 the first year and \$137,000 the second year from the general fund shall be used to provide transition services in alternate settings for children and adolescents who can be diverted or discharged from state facilities.</p> <p>D. In order to avoid and manage COVID-19 outbreaks at state facilities, the Department of Behavioral Health and Developmental Services shall coordinate its testing and surveillance activities with the Virginia Department of Health (VDH) and local health districts for the purpose of accessing federal ELC Enhancing Detection Expansion grant funding provided to VDH through the Centers for Disease Control. The Department of Behavioral Health and Developmental Services shall report quarterly to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees the expense of these funds, including the number of tests administered.</p> <p>E. Out of this appropriation, \$5,062,489 the first year and \$5,062,489 the second year from the general fund is provided to expand therapeutic intervention and discharge planning services to seven days a week at Central State Hospital and Southern Virginia Mental Health Institute. The Department shall report to the Governor and the Chairmen of House Appropriations and Senate Finance and Appropriations Committees on the impact on length of stay, number of discharges occurring during the expanded service time, and overall impact on discharge planning and the census of the affected facilities by August 1, 2023, and each year thereafter.</p>				
318. Facility Administrative and Support Services (49800).....			\$123,704,314	\$171,709,696
General Management and Direction (49801).....	\$58,674,340	\$106,679,722		
Information Technology Services (49802).....	\$9,415,600	\$9,415,600		
Food and Dietary Services (49807).....	\$14,841,637	\$14,841,637		

ITEM 318.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Housekeeping Services (49808).....	\$9,137,371	\$9,137,371		
Linen and Laundry Services (49809).....	\$1,739,197	\$1,739,197		
Physical Plant Services (49815).....	\$22,704,114	\$22,704,114		
Power Plant Operation (49817).....	\$4,272,154	\$4,272,154		
Training and Education Services (49825).....	\$2,919,901	\$2,919,901		
Fund Sources: General.....	\$108,364,276	\$156,369,658		
Special.....	\$15,276,538	\$15,276,538		
Federal Trust.....	\$63,500	\$63,500		

Authority: § 37.2-304, Code of Virginia.

A. Out of this appropriation, \$759,000 the first year and \$759,000 the second year from the general fund shall be used to ensure proper billing and maximum reimbursement for prescription drugs purchased by mental health treatment centers through the Medicare Part D drug program.

B. Notwithstanding § 37.2-319 of the Code of Virginia, the Commissioner shall prepare a plan to address the capital and programmatic needs of other state mental health facilities and state intellectual disability training center when considering expenditures from the trust fund. No less than 30 days prior to the expenditure of funds, the Commissioner shall present an expenditure plan to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees for their review and consideration.

C. Out of this appropriation, \$1,798,410 the first year and \$1,798,410 the second year from the general fund is provide for additional security positions at Eastern State Hospital and Northern Virginia Mental Health Institute.

D.1. Out of this appropriation, \$48,005,382 the second year is provided for salary increases for direct care staff at state facilities. In addition to the funds included in this Item, \$45,719,411 the first year is provided for these purposes in Item 486 out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.

2. The Department of Behavioral Health and Developmental Services shall monitor and assess the effectiveness of the compensation actions in reducing vacancy and turnover rates across the state hospital system. If the department determines that such actions have not had the intended effect, then the department shall collaborate with the Department of Planning and Budget on a proposal for additional compensation changes to improve recruitment and retention of staff for consideration to be included in the Governor's budget bill to be introduced in the 2023 Session.

E. Out of this appropriation, \$2,354,200 the first year and \$2,354,200 the second year from the general fund is provided for 36 additional security positions at state-operated mental health treatment centers.

319. The Commissioner, Department of Behavioral Health and Developmental Services, shall report by August 1 of each year to the Secretary of Finance, and the Chairmen of House Appropriations and Senate Finance and Appropriations Committees the general fund and non general fund allocations and authorized position levels for each state-operated behavioral health facility. The report shall be made available on the agency's public website.

Total for Mental Health Treatment Centers.....			<b>\$472,355,726</b>	<b>\$517,247,166</b>
General Fund Positions.....	4,373.00	4,373.00		
Nongeneral Fund Positions.....	613.00	613.00		
Position Level.....	4,986.00	4,986.00		
Fund Sources: General.....	\$417,361,570	\$462,253,010		
Special.....	\$54,794,156	\$54,794,156		
Federal Trust.....	\$200,000	\$200,000		

**Intellectual Disabilities Training Centers (793)**

320. Instruction (19700)..... \$3,646,346 \$3,646,346

ITEM 320.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Facility-Based Education and Skills Training (19708).....	\$3,646,346	\$3,646,346		
Fund Sources: General.....	\$3,368,923	\$3,368,923		
Special.....	\$77,423	\$77,423		
Federal Trust.....	\$200,000	\$200,000		
Authority: Title 37.2, Chapter 3, Code of Virginia.				
321. Pharmacy Services (42100).....			\$2,800,042	\$2,800,042
Inpatient Pharmacy Services (42102).....	\$2,800,042	\$2,800,042		
Fund Sources: General.....	\$176,315	\$176,315		
Special.....	\$2,623,727	\$2,623,727		
Authority: §§ 37.2-312 and 37.2-713, Code of Virginia; P.L. 102-119, Federal Code.				
322. State Health Services (43000).....			\$35,537,262	\$35,537,262
Inpatient Medical Services (43007).....	\$14,688,830	\$14,688,830		
State Intellectual Disabilities Training Center Services (43010).....	\$20,848,432	\$20,848,432		
Fund Sources: General.....	\$5,238,156	\$5,238,156		
Special.....	\$30,299,106	\$30,299,106		
Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.				
The Commissioner of Behavioral Health and Developmental Services shall comply with all relevant state and federal laws and Supreme Court decisions that govern the discharge of residents from state intellectual disability training centers and the granting of intellectual disability waiver slots.				
323. Facility Administrative and Support Services (49800).....			\$16,805,216	\$25,538,400
General Management and Direction (49801).....	\$4,621,275	\$13,354,459		
Information Technology Services (49802).....	\$588,762	\$588,762		
Food and Dietary Services (49807).....	\$2,996,393	\$2,996,393		
Housekeeping Services (49808).....	\$2,566,857	\$2,566,857		
Linen and Laundry Services (49809).....	\$746,376	\$746,376		
Physical Plant Services (49815).....	\$3,703,381	\$3,703,381		
Power Plant Operation (49817).....	\$832,104	\$832,104		
Training and Education Services (49825).....	\$750,068	\$750,068		
Fund Sources: General.....	\$2,575,914	\$3,524,490		
Special.....	\$14,229,302	\$22,013,910		
Authority: Title 37.1, Chapters 1 and 2, Code of Virginia; P.L. 74-320, Federal Code.				
Out of this appropriation, \$948,576 the second year from the general fund and \$7,784,608 the second year from nongeneral funds is provided for salary increases for direct care staff. In addition to the funds included in this Item, \$6,695,369 the first year is provided for these purposes in Item 486 out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.				
324. The Commissioner, Department of Behavioral Health and Developmental Services, shall report by August 1 of each year to the Secretary of Finance, and the Chairmen of House Appropriations and Senate Finance and Appropriations Committees the general fund and non general fund allocations and authorized position levels for each state-operated training center. The report shall be made available on the agency's public website.				
Total for Intellectual Disabilities Training Centers..			<b>\$58,788,866</b>	<b>\$67,522,050</b>
General Fund Positions.....	107.00	107.00		
Nongeneral Fund Positions.....	603.00	603.00		
Position Level.....	710.00	710.00		

ITEM 324.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$11,359,308	\$12,307,884		
Special.....	\$47,229,558	\$55,014,166		
Federal Trust.....	\$200,000	\$200,000		
<b>Virginia Center for Behavioral Rehabilitation (794)</b>				
325. Instruction (19700).....			\$251,126	\$251,126
Facility-Based Education and Skills Training (19708).....	\$251,126	\$251,126		
Fund Sources: General.....	\$251,126	\$251,126		
326. Secure Confinement (35700).....			\$21,452,776	\$21,452,776
Forensic and Behavioral Rehabilitation Security (35707).....	\$21,452,776	\$21,452,776		
Fund Sources: General.....	\$21,452,776	\$21,452,776		
Authority: Title 37.2, Chapter 9, Code of Virginia.				
327. Pharmacy Services (42100).....			\$1,557,890	\$1,557,890
Inpatient Pharmacy Services (42102).....	\$1,557,890	\$1,557,890		
Fund Sources: General.....	\$1,557,890	\$1,557,890		
328. State Health Services (43000).....			\$13,848,868	\$19,488,214
State Mental Health Facility Services (43014).....	\$13,848,868	\$19,488,214		
Fund Sources: General.....	\$13,848,868	\$19,488,214		
Authority: Title 37.2, Chapters 1 and 9, Code of Virginia.				
Out of this appropriation, \$5,639,346 the second year from the general fund is provided for salary increases for direct care staff. In addition to the funds included in this Item, \$5,370,806 the first year is provided for these purposes in Item 486 out of the revenues received from the federal distributions of the American Rescue Plan Act of 2021.				
329. Facility Administrative and Support Services (49800).....			\$15,916,238	\$15,916,238
General Management and Direction (49801).....	\$4,348,564	\$4,348,564		
Information Technology Services (49802).....	\$685,191	\$685,191		
Food and Dietary Services (49807).....	\$3,171,218	\$3,171,218		
Housekeeping Services (49808).....	\$438,821	\$438,821		
Physical Plant Services (49815).....	\$7,167,750	\$7,167,750		
Training and Education Services (49825).....	\$104,694	\$104,694		
Fund Sources: General.....	\$15,916,238	\$15,916,238		
Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.				
A. In the event that services are not available in Virginia to address the specific needs of an individual committed for treatment at the VCBR or conditionally released, or additional capacity cannot be met at the VCBR, the Commissioner is authorized to seek such services from another state.				
B. Out of this appropriation, \$540,000 the first year and \$540,000 the second year from the general fund is provided for the treatment costs of residents diagnosed with hepatitis. The facility shall make efforts to use certified federal 340B providers for the dispensing of any associated pharmaceuticals.				
C. Within 15 days of any appropriation transfer to the Virginia Center for Behavioral Rehabilitation from any other sub-agency within the Department of Behavioral Health and Developmental Services, the Department of Planning and Budget shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. The notice shall include the amount, fund source and reason for the transfer with an explanation of why the funding being transferred has no impact on the sub-agency from which it is transferred.				



ITEM 329.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Total for Virginia Center for Behavioral Rehabilitation.....			\$53,026,898	\$58,666,244
General Fund Positions.....	886.50	886.50		
Position Level.....	886.50	886.50		
Fund Sources: General.....	\$53,026,898	\$58,666,244		
Grand Total for Department of Behavioral Health and Developmental Services.....			\$1,400,446,214	\$1,516,987,566
General Fund Positions.....	5,885.00	5,885.00		
Nongeneral Fund Positions.....	1,262.75	1,262.75		
Position Level.....	7,147.75	7,147.75		
Fund Sources: General.....	\$1,151,807,058	\$1,253,438,129		
Special.....	\$120,869,118	\$131,386,387		
Dedicated Special Revenue.....	\$6,732,378	\$11,125,390		
Federal Trust.....	\$121,037,660	\$121,037,660		

**§ 1-95. DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES (262)**

330.	Rehabilitation Assistance Services (45400).....		\$103,142,327	\$103,142,327
	Vocational Rehabilitation Services (45404).....	\$82,825,507	\$82,825,507	
	Community Rehabilitation Programs (45406).....	\$20,316,820	\$20,316,820	
	Fund Sources: General.....	\$36,473,839	\$36,473,839	
	Special.....	\$464,647	\$464,647	
	Dedicated Special Revenue.....	\$1,626,616	\$1,626,616	
	Federal Trust.....	\$64,577,225	\$64,577,225	

Authority: Title 51.5, Chapter 14 , Code of Virginia; P.L. 93-112, Federal Code.

A.1. Out of this appropriation, \$10,274,140 the first year and \$10,274,140 the second year from the general fund shall be used as state matching dollars for the federal Vocational Rehabilitation State Grant provided under the Rehabilitation Act of 1973, as amended, hereafter referred to as the federal vocational rehabilitation grant. The Department for Aging and Rehabilitative Services (DARS) shall not transfer or expend these dollars for any purpose other than to support activities related to vocational rehabilitation.

2. The annual federal vocational rehabilitation grant award that will be received by DARS is estimated at \$66,515,712 for federal fiscal year 2022; \$66,515,712 for federal fiscal year 2023; and \$66,515,712 for federal fiscal year 2024. In addition to the base annual award amount, DARS is expected to request up to \$4,014,762 of additional federal allotment dollars in each of these years. Assuming these amounts, the annual 21.3 percent state matching requirement would equate to \$19,088,934 for federal fiscal year 2022; \$19,088,934 for federal fiscal year 2023; and \$19,088,934 for federal fiscal year 2024.

3. Based on the projection of federal award funding in paragraph A.2., DARS shall not request federal vocational rehabilitation grant dollars in excess of \$70,530,474 for federal fiscal year 2022; \$70,530,474 for federal fiscal year 2023; and \$70,530,474 for federal fiscal year 2024, without prior written concurrence from the Director, Department of Planning and Budget. Any approved increases in grant award requests shall be reported by DARS to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within 30 days. Any federal allotment dollars received by the agency shall not be used for any purpose that creates an on-going fiscal obligation to the Commonwealth.

4. By October 1 of each year, the department shall submit an annual report that details all vocational rehabilitation program revenues and spending from the prior fiscal year. The report shall also provide spending projections for the current and upcoming fiscal years. This report shall be provided to the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations

ITEM 330.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Committees.				
B. Out of this appropriation, \$1,280,512 the first year and \$1,280,512 the second year from the general fund shall be used to provide vocational rehabilitation services for persons recovering from mental health issues, alcohol and other substance abuse issues pursuant to an interagency agreement between the Department of Behavioral Health and Developmental Services and the Department for Aging and Rehabilitative Services.				
C. The Department for Aging and Rehabilitative Services shall use non-federal appropriation in this item to fulfill any necessary match requirement for the federal Supported Employment grant.				
D. Out of this appropriation, \$2,658,198 the first year and \$2,658,198 the second year from the general fund is provided for the Extended Employment Services (EES) program. The funding allocated to employment services organizations shall be allocated consistent with the recommendations of the Employment Service Organizations Steering Committee. The appropriation for EES shall be used for the program and shall not be used for any other purpose.				
E. Out of this appropriation, \$6,294,568 the first year and \$6,294,568 the second year from the general fund is provided for the Long Term Employment Support Services (LTESS) program.				
F. Recovery of administrative costs for the Long Term Employment Support Services program shall be limited to 1.70 percent the first year and 1.70 percent the second year.				
G. In allocating funds for Extended Employment Services, Long Term Employment Support Services (LTESS) and Economic Development, the Department for Aging and Rehabilitative Services shall consider recommendations from the established Employment Service Organizations/LTESS Steering Committee.				
H. Of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be used to contract with Didlake Inc., for the purpose of extended employment services and Long Term Employment Support Services for people with disabilities.				
I. A minimum of \$6,697,640 the first year and \$6,697,640 the second year from general fund dollars is allocated to support Centers for Independent Living.				
J. The Department for Aging and Rehabilitative Services shall fulfill the administrative responsibilities pertaining to the Personal Attendant Services program, without interruption or discontinuation of personal attendant services currently provided.				
K. Out of this appropriation, it is estimated that \$2,349,935 the first year and \$2,349,935 the second year from the general fund shall be used for personal assistance services for individuals with disabilities.				
L.1. Out of this appropriation, \$7,746,719 the first year and \$7,746,719 the second year from the general fund shall be provided for expanding the continuum of services used to assist persons with brain injuries in returning to work and community living.				
2. Of this amount, \$1,830,000 the first year and \$1,830,000 the second year from the general fund shall be used to provide a continuum of brain injury services to individuals in unserved or underserved regions of the Commonwealth. Up to \$150,000 each year shall be awarded to successful program applicants. Programs currently receiving more than \$250,000 from the general fund each year are ineligible for additional assistance under this section. To be determined eligible for a grant under this section, program applicants shall submit plans to pursue non-state resources to complement the provision of general fund support.				
3. Of this amount, \$285,000 the first year and \$285,000 the second year shall be provided from the general fund to support direct case management services for brain injured individuals and their families in Southwestern Virginia.				
4. Of this amount, \$720,000 the first year and \$720,000 the second year from the general fund shall be used to support case management services for individuals with brain injuries in unserved or underserved regions of the Commonwealth.				

ITEM 330.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>5. In allocating additional funds for brain injury services, the Department for Aging and Rehabilitative Services shall consider recommendations from the Virginia Brain Injury Council (VBIC).</p> <p>6. The Department for Aging and Rehabilitative Services (DARS) shall submit an annual report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees documenting the number of individuals served, services provided, and success in attracting non-state resources.</p> <p>M.1. For Commonwealth Neurotrauma Initiative Trust Fund grants awarded after July 1, 2004, the commissioner shall require applicants to submit a plan to achieve self-sufficiency by the end of the grant award cycle in order to receive funding consideration.</p> <p>2. Notwithstanding any other law to the contrary, the commissioner may reallocate up to \$500,000 from unexpended balances in the Commonwealth Neurotrauma Initiative Trust Fund to fund new grant awards for research on traumatic brain and spinal cord injuries.</p> <p>N. Out of this appropriation, \$446,618 the first year and \$446,618 the second year from the general fund shall be allocated to the Long-Term Rehabilitation Case Management Services Program.</p> <p>O. Every county and city, either singly or in combination with another political subdivision, may establish a local disability services board to provide input to state agencies on service needs and priorities of persons with physical and sensory disabilities, to provide information and resource referral to local governments regarding the Americans with Disabilities Act, and to provide such other assistance and advice to local governments as may be requested.</p> <p>P. An employment services organization that had a CARF accreditation may continue to receive funding for Long-Term Employment Support Services (LTESS) and Extended Employment Services (EES) for up to six months after their accreditation expires if the organization is actively pursuing CARF reaccreditation.</p> <p>Q. The Employment Services Organization Steering Committee (ESOSC), as established in §51.5-169.2, Code of Virginia, shall report to and advise the Commissioner on policy, funding, and the allocation of funds to employment services organizations (ESOs) for Long Term Employment Support Services and Extended Employment Services pursuant to § 51.5-169.1, Code of Virginia, as well as all other services of which ESOs are current or proposed vendors.</p>				
331.	Individual Care Services (45500).....		\$39,789,449	\$39,539,449
	Financial Assistance for Local Services to the Elderly (45504).....	\$32,132,787		\$31,882,787
	Rights and Protection for the Elderly (45506).....	\$7,656,662		\$7,656,662
	Fund Sources: General.....	\$20,003,634		\$19,753,634
	Special.....	\$90,000		\$90,000
	Dedicated Special Revenue.....	\$200,000		\$200,000
	Federal Trust.....	\$19,495,815		\$19,495,815
<p>Authority: Title 51.5, Chapter 14, Code of Virginia.</p> <p>A. Out of this appropriation, \$456,209 the first year and \$456,209 the second year from the general fund shall be provided to continue a statewide Respite Care Initiative program for the elderly and persons suffering from Alzheimer's Disease.</p> <p>B.1. Out of this appropriation, \$3,785,000 the first year and \$3,785,000 the second year from the general fund shall be provided to support local and regional programs of the Virginia Public Guardian and Conservator Program. This funding is estimated to provide 757 client slots the first year and 757 client slots the second year for unrestricted guardianship services.</p> <p>2. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be used to provide services through the Virginia Public Guardian and Conservator Program for individuals with mental illness or intellectual disability (ID).</p>				

ITEM 331.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>This funding is estimated to provide 40 client slots the first year and 40 client slots the second year for guardianship services for individuals with mental illness or intellectual disabilities.</p>				
<p>3. Out of this appropriation, \$2,270,000 the first year and \$2,270,000 the second year from the general fund shall be used to provide services through the Virginia Public Guardian and Conservator Program for individuals with intellectual disabilities (ID) and developmental disabilities (DD). This funding shall be expended pursuant to an interagency agreement between the Department of Behavioral Health and Developmental Services (DBHDS) and the Department for Aging and Rehabilitative Services. This funding is estimated to provide 454 client slots the first year and 454 client slots the second year for guardianship services for individuals with ID/DD, as authorized by DBHDS.</p>				
<p>4. Out of this appropriation, \$686,000 the first year and \$686,000 the second year from the general fund shall be used to provide services through the Virginia Public Guardian and Conservator Program for individuals with mental illness. This funding shall be expended pursuant to an interagency agreement between the Department of Behavioral Health and Developmental Services (DBHDS) and the Department for Aging and Rehabilitative Services. This funding is estimated to provide 98 client slots the first year and 98 client slots the second year for guardianship services for individuals with mental illness, as authorized by DBHDS.</p>				
<p>C.1. Area Agencies on Aging that are authorized to use funding for the Care Coordination for the Elderly Program, shall be authorized to use funding to conduct a program providing mobile, brief intervention and service linking as a form of care coordination. The Department for Aging and Rehabilitative Services, in collaboration with the Area Agencies on Aging, shall analyze the resulting impact in these agencies and determine if this model of service delivery is an appropriate and beneficial use of these funds.</p>				
<p>2. The Department for Aging and Rehabilitative Services, in collaboration with Area Agencies on Aging (AAAs) that are authorized to use funding for the Care Coordination for Elderly Program, shall examine and analyze existing state and national care coordination models to determine best practice models. The department and designated AAAs shall determine which models of service delivery are appropriate and demonstrate beneficial use of these funds and develop the accompanying service standards. Each AAA receiving care coordination funding shall submit its plan for care coordination with the annual area plan.</p>				
<p>D. Area Agencies on Aging shall be designated as the lead agency in each respective area for No Wrong Door.</p>				
<p>E. The Department for Aging and Rehabilitative Services shall (i) recommend strategies to coordinate services and resources among agencies involved in the delivery of services to Virginians with dementia; (ii) monitor the implementation of the Dementia State Plan; (iii) recommend policies, legislation, and funding needed to implement the Plan; (iv) collect and monitor data related to the impact of dementia on Virginians; and (v) determine the services, resources, and policies that may be needed to address services for individuals with dementia.</p>				
<p>F. Out of this appropriation, \$201,875 the first year and \$201,875 the second year from the general fund shall be provided to support the distribution of comprehensive health and aging information to Virginia's senior population, their families and caregivers.</p>				
<p>G. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund shall be provided for the Pharmacy Connect Program in Southwest Virginia, administered by Mountain Empire Older Citizens, Inc.</p>				
<p>H. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be used to contract with the Jewish Social Services Agency to provide assistance to low-income seniors who have experienced trauma.</p>				
<p>I. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund shall be provided to contract with Birmingham Green to provide residential services to low-income, disabled individuals.</p>				
<p>J. Out of this appropriation, \$262,500 the first year and \$262,500 the second year from the general fund shall be provided for an interdisciplinary plan of care and dementia care management for 88 individuals diagnosed with dementia. This service shall be provided through a partnership between the Memory and Aging Care Clinic at the University of</p>				

ITEM 331.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Virginia and the Alzheimer's Association. The Department for Aging and Rehabilitative Services shall report the status and provide an update on the results of the dementia case management program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1 of each year.</p> <p>K. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund shall be provided to contract with Area Agencies on Aging utilizing the Virginia Insurance Counseling and Assistance Program (VICAP) to provide counseling to Medicare beneficiaries about health insurance options and plans.</p> <p>L. Out of this appropriation, \$250,000 the first year from the general fund is provided for the Department for Aging and Rehabilitative Services to determine the potential cost of addressing unmet needs for in-home services and home modifications provided to older adults by area agencies on aging and local departments of social services across the Commonwealth, by region. This information shall be reported to the Joint Commission on Health Care, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2022.</p>				
332.	Nutritional Services (45700).....		\$22,144,603	\$22,144,603
	Meals Served in Group Settings (45701).....	\$9,521,747		
	Distribution of Food (45702).....	\$549,342		
	Delivery of Meals to Home-Bound Individuals (45703).....	\$12,073,514		
	Fund Sources: General.....	\$6,403,648		
	Federal Trust.....	\$15,740,955		

Authority: Title 51.5, Chapter 14, Code of Virginia.

Home delivered meals shall not require cost-sharing until such time as federal law permits cost-sharing with Older Americans Act funding.

333. A. Area Agencies on Aging are encouraged to continue seeking funds from a variety of sources which include cost-sharing in programs where not prohibited by funding sources; private sector voluntary contributions from older persons receiving services; families of individuals receiving services; and churches, service groups and other organizations. Such appropriations shall not be included in the appropriations used to match Older Americans Act funding. Revenue generated as a result of these projects shall be retained by the participating area agencies for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.

B. It is the intent of the General Assembly that all Area Agencies on Aging use any new general fund revenue, with the exception of funding provided for the Long-term Care Ombudsman program, to implement sliding fees for services. However, priority for services should be given to applicants in the greatest need, regardless of ability to pay. Revenue from fees shall be retained by the Area Agencies on Aging for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.

C. It is the intent of the General Assembly that Older Americans Act funds and general fund moneys be targeted to services which can assist the elderly to function independently for as long as possible. Area Agencies on Aging may use general fund moneys for consumer-directed services.

D. At the request of the Commissioner, Department for Aging and Rehabilitative Services, the Director, Department of Planning and Budget may transfer state general fund appropriations for services provided by Area Agencies on Aging between service categories. Each individual Area Agency on Aging may transfer up to the maximum amount of federal funds and matching state general fund amounts allowed by federal law between service categories. Further, each Area Agency on Aging may transfer undesignated state general fund amounts among service categories. Under no circumstances shall any funds be transferred from direct services to administration. State general fund appropriations shall be available to the area agencies on aging beginning July 1 of each year of the biennium, in compliance with the department's General Fund Cash

ITEM 333.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Management Policy.				
334.	Continuing Income Assistance Services (46100).....		\$56,355,832	\$56,355,832
	Social Security Disability Determination (46102).....	\$56,355,832	\$56,355,832	
	Fund Sources: General.....	\$1,515,236	\$1,515,236	
	Special.....	\$152,258	\$152,258	
	Federal Trust.....	\$54,688,338	\$54,688,338	

Authority: Title 51.5, Chapter 14, Code of Virginia; Titles II and XVI, P.L. 74-271, Federal Code.

A. The Department for Aging and Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning hospitalized persons to rehabilitation facilities when the patient may meet the criteria established by the Social Security Administration (SSA) and Medicaid for disability. As part of this expedited process, the Department for Aging and Rehabilitative Services (DARS) shall make Medicaid disability determinations within seven business days of the receipt of social service referrals, when the referrals include sufficient evidence that appropriately documents SSA's definition of disability. If the referrals do not contain sufficient documentation of disability, DARS shall continue to expedite processing of these priority referrals under Medicaid regulations.

B. The general fund appropriation in this item shall only be used for the cost of Medicaid disability determinations and for no other purpose.

335.	Adult Programs and Services (46800).....		\$8,882,584	\$8,807,584
	Management and Quality Assurance of Aging Services (46811).....	\$3,596,577	\$3,521,577	
	Central Oversight and Quality Assurance for Adult Protective Services (46812).....	\$2,502,996	\$2,502,996	
	State Long-Term Care Ombudsman Services (46813).....	\$1,710,403	\$1,710,403	
	No Wrong Door Initiative (46814).....	\$1,072,608	\$1,072,608	
	Fund Sources: General.....	\$5,418,425	\$5,343,425	
	Special.....	\$84,232	\$84,232	
	Federal Trust.....	\$3,379,927	\$3,379,927	

Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112, Federal Code.

A. 1. Out of this appropriation, \$459,001 the first year and \$384,001 the second year from the general fund shall be used to administer and oversee public guardianship programs and for no other purpose.

2. Of this amount, \$93,395 the first year and \$93,395 the second year shall be used to support the administrative costs associated with serving individuals pursuant to interagency agreements for the provision of public guardianship services between the Department of Behavioral Health and Developmental Services (DBHDS) and the Department for Aging and Rehabilitative Services.

B. Out of this appropriation, up to \$5,000 the first year and \$5,000 the second year from the general fund shall be provided to support activities of the Virginia Public Guardianship and Conservator Program Advisory Board, including but not limited to, paying expenses for the members to attend four meetings per year.

C. Out of this appropriation, \$109,113 the first year and \$109,113 the second year from the general fund is provided to support a position dedicated to monitoring and auditing the auxiliary grant (AG) program. The department shall develop an annual report on the AG program. This report shall include an overview of the program as well as a summary of oversight activities and findings. In addition, the report shall include for each month of the previous fiscal year, the number of Auxiliary Grant recipients living in a supportive housing setting as well as the number of individuals receiving an AG supportive housing slot that were discharged from a state behavioral health facility in the prior 12 months. DARS shall provide this report to the Director, Department of Planning and Budget and Chairmen of the House

ITEM 335.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Appropriations and Senate Finance and Appropriations Committees by September 1 of each year.				
D. Out of this appropriation, \$1,219,943 the first year and \$1,219,943 the second year from the general fund is provided for 12 full-time and two part-time positions to support the Office of the State Long-term Care Ombudsman.				
E. Out of this appropriation, \$545,000 the first year and \$545,000 the second year from the general fund is provided to cover PeerPlace license costs for local workers as well as the on-going cost of system modifications.				
F. The Department for Aging and Rehabilitative Services (DARS) shall promulgate regulations to reflect that 1) the Department of Medical Assistance Services is no longer the entity responsible for payment of/for completed assessments and authorizations of ALF placement for public pay individuals, and 2) the cost of ALF assessments conducted by qualified assessors identified in 22VAC30-110-20 for public pay individuals shall be borne by each entity conducting the assessment.				
G. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is provided for demographic services to obtain reliable data for determining needs and service planning for aging services.				
H. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be used to support the Senior Legal Helpline.				
336.	Administrative and Support Services (49900).....		\$16,031,957	\$16,031,957
	General Management and Direction (49901).....	\$9,223,561		\$9,223,561
	Information Technology Services (49902).....	\$6,038,949		\$6,038,949
	Planning and Evaluation Services (49916).....	\$769,447		\$769,447
	Fund Sources: General.....	\$852,286		\$852,286
	Special.....	\$12,017,642		\$12,017,642
	Federal Trust.....	\$3,162,029		\$3,162,029
Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112, Federal Code.				
337.	Included in the Federal Trust appropriation are amounts estimated at \$583,541 the first year and \$583,541 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this Act. Amounts recovered in excess of these estimates shall be deposited to the general fund.			
	Total for Department for Aging and Rehabilitative Services.....		\$246,346,752	\$246,021,752
	General Fund Positions.....	95.76		95.76
	Nongeneral Fund Positions.....	882.26		882.26
	Position Level.....	978.02		978.02
	Fund Sources: General.....	\$70,667,068		\$70,342,068
	Special.....	\$12,808,779		\$12,808,779
	Dedicated Special Revenue.....	\$1,826,616		\$1,826,616
	Federal Trust.....	\$161,044,289		\$161,044,289
<b>Wilson Workforce and Rehabilitation Center (203)</b>				
338.	Rehabilitation Assistance Services (45400).....		\$13,027,544	\$13,027,544
	Vocational Rehabilitation Services (45404).....	\$8,026,547		\$8,026,547
	Medical Rehabilitative Services (45405).....	\$5,000,997		\$5,000,997
	Fund Sources: General.....	\$3,319,356		\$3,319,356
	Federal Trust.....	\$9,708,188		\$9,708,188
Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 89-313, P.L. 93-112, P.L. 94-482				

ITEM 338.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
and P.L. 95-602, Federal Code.				
339.	Facility Administrative and Support Services (49800).....		\$10,742,543	\$10,742,543
	\$1,598,887	\$1,598,887		
	\$574,118	\$574,118		
	\$632,435	\$632,435		
	\$1,555,134	\$1,555,134		
	\$808,850	\$808,850		
	\$5,573,119	\$5,573,119		
	\$2,593,465	\$2,593,465		
	\$95,000	\$95,000		
	\$8,054,078	\$8,054,078		
Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112 and P.L. 95-602, Federal Code.				
Comprehensive services available on-site at Wilson Workforce and Rehabilitation Center shall include, but not be limited to, vocational services, including evaluation, prevocational, academic, and vocational training; independent living services; transition from school to work services; rehabilitative engineering and assistive technology; and medical rehabilitation services, including residential, outpatient, supported living, community reentry, and family support.				
	Total for Wilson Workforce and Rehabilitation Center.....		<b>\$23,770,087</b>	<b>\$23,770,087</b>
	58.80	58.80		
	193.20	193.20		
	252.00	252.00		
	\$5,912,821	\$5,912,821		
	\$95,000	\$95,000		
	\$17,762,266	\$17,762,266		
	Grand Total for Department for Aging and Rehabilitative Services.....		<b>\$270,116,839</b>	<b>\$269,791,839</b>
	154.56	154.56		
	1,075.46	1,075.46		
	1,230.02	1,230.02		
	\$76,579,889	\$76,254,889		
	\$12,903,779	\$12,903,779		
	\$1,826,616	\$1,826,616		
	\$178,806,555	\$178,806,555		
<b>§ 1-96. DEPARTMENT OF SOCIAL SERVICES (765)</b>				
340.	Program Management Services (45100).....		\$57,657,545	\$50,975,425
	\$5,225,542	\$5,225,542		
	\$14,175,415	\$14,175,415		
	\$18,550,754	\$13,868,634		
	\$14,884,896	\$12,884,896		
	\$4,820,938	\$4,820,938		
	\$27,636,380	\$21,245,320		
	\$100,000	\$100,000		
	\$267,722	\$267,722		



ITEM 340.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
Federal Trust.....	\$29,653,443	\$29,362,383		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 2 and 21, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. The Department of Social Services, in collaboration with the Office of Children's Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the foster care services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local departments of social services. Training shall be provided on a regional basis at least once per year. Written guidance shall be updated and provided to local Office of Children's Services teams whenever there is a change in allowable expenses under federal or state guidelines. In addition, the Department of Social Services shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.

B.1. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Social Services, shall prepare and submit a forecast of expenditures for cash assistance provided through the Temporary Assistance for Needy Families (TANF) program, mandatory child day care services under TANF, foster care maintenance and adoption subsidy payments, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

2. The forecast of expenditures shall detail the incremental general fund and federal fund adjustments required by the forecast each year in the biennial budget. The Department of Planning and Budget shall convene a meeting on or before October 15 of each year with the appropriate staff from the Department of Social Services, and the House Appropriations and Senate Finance and Appropriations Committees to review current trends and assumptions used in the forecasts prior to their finalization.

C. The Department of Social Services shall provide administrative support and technical assistance to the Family and Children's Trust Fund (FACT) Board of Trustees established in §§ 63.2-2100 through 63.2-2103, Code of Virginia.

D. Out of this appropriation, \$1,829,111 the first year and \$1,829,111 the second year from the general fund and \$1,829,111 the first year and \$1,829,111 the second year from nongeneral funds shall be provided to fund the Supplemental Nutrition Assistance Program (SNAP) Electronic Benefit Transfer (EBT) contract cost.

E.1. Out of this appropriation, 10 positions and the associated funding shall be dedicated to providing on-going financial oversight of foster care services. Each of the 10 positions, with two working out of each regional office, shall assess and review all foster care spending to ensure that state and federal standards are met. None of these positions shall be used for quality, information technology, or clerical functions.

2. By September 1 of each year, the department shall report to the Governor, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget regarding the foster care program's statewide spending, error rates and compliance with state and federal reviews.

F. The Department of Social Services shall provide an annual report on the activities of the Office of New Americans by December 1 of each year.

G. The Department of Social Services shall not implement the Percentage of Income Payment Program (PIPP) until such time as there is adequate fee revenue from the universal service fee, collected by utility providers, available to fund the administrative costs necessary to implement the program, not to exceed \$3.0 million. Maximum allowable administrative costs are in totality and include costs borne by the Department of Housing and Community Development for PIPP administration.

H. Out of this appropriation, \$54,309 the first year and \$54,309 the second year from the

ITEM 340.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>general fund and \$162,926 the first year and \$162,926 the second year from nongeneral funds shall be provided to implement the Virginia Facilitated Enrollment Program.</p> <p>I. Out of this appropriation, \$2,000,000 the first year from the general fund shall be provided to resettlement agencies to provide assistance to refugees that relocate to the Commonwealth.</p> <p>J. The Department of Social Services shall create a workgroup to study Temporary Assistance for Needy Families (TANF) block grant spending. The workgroup shall include appropriate staff from the Office of the Secretary of Health and Human Resources, the Department of Planning and Budget, and the House Appropriations and Senate Finance and Appropriations Committees. DSS shall submit a final report with options and recommendations for changes necessary to ensure annual structural balance in state TANF spending. These recommendations, if accepted, shall ensure that planned spending shall not exceed the annual federal TANF award beginning in FY 2025. The report shall be made to the Governor, Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget by September 1, 2022.</p> <p>K. Out of this appropriation, \$291,060 the first year from the general fund and \$291,060 the first year from nongeneral funds and five positions shall be provided to support the development of collaborative partnerships between local departments of social services to increase capacity to approve kinship caregivers and recruit, train, and develop locally approved foster parents.</p> <p>L.1. Out of this appropriation, \$1,100,000 the first year from the general fund shall be provided to create an enhanced treatment foster care pilot program. This program will serve foster homes caring for high acuity children and provide participating foster families with an annual stipend of up to \$45,000.</p> <p>2. Out of the amounts in L.1., \$200,000 the first year from the general fund shall be provided to foster care agencies to cover the costs of coordination, recruitment, and additional training.</p> <p>M. Out of this appropriation, \$3,000,000 the first year from the general fund shall be provided to support the initiatives of the Safe and Sound Task Force including community-based treatments, support for kinship, foster and adoptive families, and trauma-informed care for children in foster care who are displaced or who are at risk of being displaced.</p>				
341.	Financial Assistance for Self-Sufficiency Programs and Services (45200).....		\$154,487,484	\$155,158,373
	Temporary Assistance for Needy Families (TANF) Cash Assistance (45201).....	\$85,759,181		\$86,357,163
	Temporary Assistance for Needy Families (TANF) Employment Services (45212).....	\$17,045,689		\$17,045,689
	Supplemental Nutrition Assistance Program Employment and Training (SNAPET) Services (45213).....	\$2,205,341		\$2,205,341
	Temporary Assistance for Needy Families (TANF) Child Care Subsidies (45214).....	\$38,707,424		\$38,707,424
	At-Risk Child Care Subsidies (45215).....	\$2,864,671		\$2,864,671
	Unemployed Parents Cash Assistance (45216).....	\$7,905,178		\$7,978,085
	Fund Sources: General.....	\$82,548,802		\$82,621,709
	Federal Trust.....	\$71,938,682		\$72,536,664

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 through 7, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. It is hereby acknowledged that as of June 30, 2021 there existed with the federal government an unexpended balance of \$130,397,626 in federal Temporary Assistance for Needy Families (TANF) block grant funds which are available to the Commonwealth of Virginia to reimburse expenditures incurred in accordance with the adopted State Plan for the TANF program. Based on projected spending levels and appropriations in this act, the Commonwealth's accumulated balance for authorized federal TANF block grant funds is estimated at \$79,652,390 on June 30, 2022; \$49,119,392 on June 30, 2023; and \$17,988,412

ITEM 341.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

on June 30, 2024.

B. No less than 30 days prior to submitting any amendment to the federal government related to the State Plan for the Temporary Assistance for Needy Families program, the Commissioner of the Department of Social Services shall provide the Chairmen of the House Appropriations and Senate Finance an Appropriations Committees as well as the Director, Department of Planning and Budget written documentation detailing the proposed policy changes. This documentation shall include an estimate of the fiscal impact of the proposed changes and information summarizing public comment that was received on the proposed changes.

C. Notwithstanding any other provision of state law, the Department of Social Services shall maintain a separate state program, as that term is defined by federal regulations governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. § 260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-parent families. The separate state program shall be funded by state funds and operated outside of the TANF program. Able-bodied two-parent families shall not be eligible for TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits under the separate state program provided for in this paragraph. Although various conditions and eligibility requirements may be different under the separate state program, the basic benefit payment for which two-parent families are eligible under the separate state program shall not be less than what they would have received under TANF. The Department of Social Services shall establish regulations to govern this separate state program.

D. As a condition of this appropriation, the Department of Social Services shall disregard the value of one motor vehicle per assistance unit in determining eligibility for cash assistance in the Temporary Assistance for Needy Families (TANF) program and in the separate state program for able-bodied two-parent families.

E. The Department of Social Services, in collaboration with local departments of social services, shall maintain minimum performance standards for all local departments of social services participating in the Virginia Initiative for Education and Work (VIEW) program. The department shall allocate VIEW funds to local departments of social services based on these performance standards and VIEW caseloads. The allocation formula shall be developed and revised in cooperation with the local social services departments and the Department of Planning and Budget.

F. A participant whose Temporary Assistance for Needy Families (TANF) financial assistance is terminated due to the receipt of 24 months of assistance as specified in § 63.2-612, Code of Virginia, or due to the closure of the TANF case prior to the completion of 24 months of TANF assistance, excluding cases closed with a sanction for noncompliance with the Virginia Initiative for Education and Work program, shall be eligible to receive employment and training assistance for up to 12 months after termination, if needed, in addition to other transitional services provided pursuant to § 63.2-611, Code of Virginia.

G. The Department of Social Services, in conjunction with the Department of Correctional Education, shall identify and apply for federal, private and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections, including but not limited to the following grant programs: Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special Improvement Projects, § 1115 Social Security Demonstration Grants, and any new grant programs authorized under the federal Temporary Assistance for Needy Families (TANF) block grant program.

H. Out of this appropriation, \$2,647,305 the first year and \$2,647,305 the second year from the general fund shall be provided to support state child care programs.

I. Out of this appropriation, the Department of Social Services shall use \$4,800,000 the first year and \$4,800,000 the second year from the federal Temporary Assistance to Needy Families (TANF) block grant to provide to each TANF recipient with two or more children in the assistance unit a monthly TANF supplement equal to the amount the

ITEM 341.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

Division of Child Support Enforcement collects up to \$200, less the \$100 disregard passed through to such recipient. The TANF child support supplement shall be paid within two months following collection of the child support payment or payments used to determine the amount of such supplement. For purposes of determining eligibility for medical assistance services, the TANF supplement described in this paragraph shall be disregarded. In the event there are sufficient federal TANF funds to provide all other assistance required by the TANF State Plan, the Commissioner may use unobligated federal TANF block grant funds in excess of this appropriation to provide the TANF supplement described in this paragraph.

J. The Board of Social Services shall combine Groups I and II for the purposes of Temporary Assistance to Needy Families cash benefits and use the Group II rates for the new group.

K. The Department of Social Services shall develop a plan to increase the standards of assistance by 10 percent annually until they equal 50 percent of the federal poverty level.

L.1. The Department of Social Services (DSS) and the Department of Education (DOE) shall ensure that the Temporary Assistance for Needy Families (TANF) Virginia Initiative for Employment and Work (VIEW) mandated child care forecast is funded through a combination of general fund, TANF, and Child Care Development Fund (CCDF) grant dollars. The amount of needed CCDF dollars identified in the Memorandum of Agreement (MOA) between the agencies shall be transferred from DOE to DSS within the first thirty days of the fiscal year. DSS shall notify DOE of the required amount of the next fiscal year transfer upon the enrollment of the budget. This amount shall reflect the need identified in the official forecast as well as changes resulting from actions in the final budget.

2. The MOA shall reflect the full cost of the VIEW mandated child care program. From this amount, \$38,707,424 the first year and \$38,707,424 the second year is appropriated at DSS and the balance shall be transferred from DOE from the CCDF grant to support the VIEW mandated child care program as specified in L.1.

M. Out of this appropriation, \$2,120,420 the first year and \$2,120,420 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided for the Department of Social Services to implement a program so that TANF-eligible individuals may save funds in an individual development account established for the purposes of home purchase, education, starting a business, transportation, or self-sufficiency. The TANF funds shall be deposited to the individual development accounts at a match rate determined by the department.

N. The Department of Social Services shall increase the Temporary Assistance for Needy Families (TANF) cash benefits and income eligibility threshold by five percent effective July 1, 2022.

342.	Financial Assistance for Local Social Services Staff (46000).....			\$552,763,472	\$552,716,954
	Local Staff and Operations (46010).....	\$552,763,472	\$552,716,954		
	Fund Sources: General.....	\$148,475,202	\$148,428,684		
	Dedicated Special Revenue.....	\$9,374,916	\$9,374,916		
	Federal Trust.....	\$394,913,354	\$394,913,354		

Authority: Title 63.2, Chapters 1 through 7 and 9 through 16, Code of Virginia; P.L. 104-193, Titles IV A, XIX, and XXI, Social Security Act, Federal Code, as amended.

A. The amounts in this Item shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

B. Pursuant to the provisions of §§ 63.2-403, 63.2-406, 63.2-407, 63.2-408, and 63.2-615 Code of Virginia, all moneys deducted from funds otherwise payable out of the state treasury to the counties and cities pursuant to the provisions of § 63.2-408, Code of Virginia, shall be credited to the applicable general fund account.

ITEM 342.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>C. Included in this appropriation are funds to reimburse local social service agencies for eligibility workers who interview applicants to determine qualification for public assistance benefits which include but are not limited to: Temporary Assistance for Needy Families (TANF); Supplemental Nutrition Assistance Program (SNAP); and Medicaid.</p> <p>D. Included in this appropriation are funds to reimburse local social service agencies for social workers who deliver program services which include but are not limited to: child and adult protective services complaint investigations; foster care and adoption services; and adult services.</p> <p>E. Out of the federal fund appropriation for local social services staff, amounts estimated at \$83,200,000 the first year and \$83,200,000 the second year shall be set aside for allowable local costs which exceed available general fund reimbursement and amounts estimated at \$24,000,000 the first year and \$24,000,000 the second year shall be set aside to reimburse local governments for allowable costs incurred in administering public assistance programs.</p> <p>F. Out of this appropriation, \$562,260 the first year and \$562,260 the second year from the general fund and \$540,211 the first year and \$540,211 the second year from nongeneral funds shall be provided to cover the cost of the health insurance credit for retired local social services employees.</p> <p>G. The Department of Social Services shall work with local departments of social services on a pilot project in the western region of the state to evaluate the available data collected by local departments on facilitated care arrangements. The department shall, based on the findings from the pilot project, determine the most appropriate mechanism for collecting and reporting such data on a statewide basis.</p> <p>H.1. Out of this appropriation, \$4,527,969 the first year and \$4,527,969 the second year from the general fund shall be available for the reinvestment of adoption general fund savings as authorized in Title IV, parts B and E of the federal Social Security Act (P.L. 110-351).</p> <p>2. Of the amount in paragraph H.1. above, \$1,333,031 the first year and \$1,333,031 the second year from the general fund shall be used to provide Child Protective Services (CPS) assessments and investigations in response to all reports of children born exposed to controlled substances regardless of whether the substance had been prescribed to the mother when she has sought or gained substance abuse counseling or treatment.</p> <p>I. Out of this appropriation, \$594,713 the first year and \$594,713 the second year from the general fund and \$4,734,573 the first year and \$4,734,573 the second year from nongeneral funds shall be provided to implement the Virginia Facilitated Enrollment Program.</p>				
343.	Child Support Enforcement Services (46300).....		\$786,527,047	\$786,844,647
	Support Enforcement and Collection Services (46301).....	\$121,620,738		\$121,938,338
	Public Assistance Child Support Payments (46302)	\$11,000,000		\$11,000,000
	Non-Public Assistance Child Support Payments (46303).....	\$653,906,309		\$653,906,309
	Fund Sources: General.....	\$12,958,944		\$12,958,944
	Special.....	\$699,988,304		\$700,096,288
	Federal Trust.....	\$73,579,799		\$73,789,415

Authority: Title 20, Chapters 2 through 3.1 and 4.1 through 9; Title 63.2, Chapter 19, Code of Virginia; P.L. 104-193, as amended; P.L. 105-200, P.L. 106-113, Federal Code.

A. Any net revenue from child support enforcement collections, after all disbursements are made in accordance with state and federal statutes and regulations, and after the state's share of the cost of administering the program is paid, shall be estimated and deposited into the general fund by June 30 of the fiscal year in which it is collected. Any additional moneys determined to be available upon final determination of a fiscal year's costs of administering the program shall be deposited to the general fund by September 1 of the

ITEM 343.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

subsequent fiscal year in which it is collected.

B. In determining eligibility and amounts for cash assistance, pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the department shall continue to disregard up to \$100 per month in child support payments and return to recipients of cash assistance up to \$100 per month in child support payments collected on their behalf.

C. The state share of amounts disbursed to recipients of cash assistance pursuant to paragraph B of this Item shall be considered part of the Commonwealth's required Maintenance of Effort spending for the federal Temporary Assistance for Needy Families program established by the Social Security Act.

D. The department shall expand collections of child support payments through contracts with private vendors. However, the Department of Social Services and the Office of the Attorney General shall not contract with any private collection agency, private attorney, or other private entity for any child support enforcement activity until the State Board of Social Services has made a written determination that the activity shall be performed under a proposed contract at a lower cost than if performed by employees of the Commonwealth.

E. The Division of Child Support Enforcement, in cooperation with the Department of Medical Assistance Services, shall identify cases for which there is a medical support order requiring a noncustodial parent to contribute to the medical cost of caring for a child who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS) Programs. Once identified, the division shall work with the Department of Medical Assistance Services to take appropriate enforcement actions to obtain medical support or repayments for the Medicaid program.

F. Out of this appropriation, \$19,694,200 the first year and \$20,011,800 the second year from nongeneral funds is appropriated to support the design, development, and implementation of a modernized child support technology system.

344.	Adult Programs and Services (46800).....			\$48,227,762	\$48,227,762
	Auxiliary Grants for the Aged, Blind, and Disabled (46801).....	\$26,398,009	\$26,398,009		
	Adult In-Home and Supportive Services (46802).....	\$6,822,995	\$6,822,995		
	Domestic Violence Prevention and Support Activities (46803).....	\$15,006,758	\$15,006,758		
	Fund Sources: General.....	\$31,022,734	\$31,022,734		
	Federal Trust.....	\$17,205,028	\$17,205,028		

Authority: Title 63.2, Chapters 1, 16 and 22, Code of Virginia; Title XVI, federal Social Security Act, as amended.

A.1. Effective January 1, 2022, the Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of \$1,609 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight.

2. Effective January 1, 2013, the monthly personal care allowance for auxiliary grant recipients who reside in licensed assisted living facilities and approved adult foster care homes shall be \$82 per month, unless modified as indicated below.

3. The Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to increase the assisted living facility and adult foster care home rates and/or the personal care allowance cited above on January 1 of each year in which the federal government increases Supplemental Security Income or Social Security rates or at any other time that the department determines that an increase is necessary to ensure that the Commonwealth continues to meet federal requirements for continuing eligibility for federal financial participation in the Medicaid program. Any such increase is subject to the prior concurrence of the Department of Planning and Budget. Within thirty days

ITEM 344.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>after its effective date, the Department of Social Services shall report any such increase to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees with an explanation of the reasons for the increase.</p> <p>B. Out of this appropriation, \$4,185,189 the first year and \$4,185,189 in the second year from the federal Social Services Block Grant shall be allocated to provide adult companion services for low-income elderly and disabled adults.</p> <p>C. The toll-free telephone hotline operated by the Department of Social Services to receive child abuse and neglect complaints shall also be publicized and used by the department to receive complaints of adult abuse and neglect.</p> <p>D. Out of this appropriation, \$248,750 the first year and \$248,750 the second year from the general fund and \$1,346,792 the first year and \$1,346,792 the second year from federal Temporary Assistance for Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority.</p> <p>E. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund and \$400,000 the first year and \$400,000 the second year from nongeneral funds shall be provided for the purchase of services for victims of domestic violence as stated in § 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.</p> <p>F. Out of this appropriation \$1,100,000 the first year and \$1,100,000 the second year from the general fund and \$2,500,000 the first year and \$2,500,000 the second year from federal Temporary Assistance to Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for services.</p> <p>G. Out of this appropriation, \$2,650,000 the first year and \$2,650,000 the second year from the general fund shall be transferred to the Virginia Sexual and Domestic Violence Prevention Fund. Notwithstanding § 63.2-2300 of the Code of Virginia, the Department of Social Services shall solicit applications for funding by August 1 of each year and shall award the funds by no later than October 1 of each year. Funding shall be awarded for evidence-based services. The department shall report on the allocation of these funds to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year.</p>				
345.	Child Welfare Services (46900).....		\$298,006,080	\$307,495,745
	Foster Care Payments (46901).....	\$56,429,721		\$57,836,121
	Supplemental Child Welfare Activities (46902).....	\$52,374,711		\$59,595,156
	Adoption Subsidy Payments (46903).....	\$162,580,548		\$162,580,548
	Prevention Services (46905).....	\$26,621,100		\$27,483,920
	Fund Sources: General.....	\$143,143,135		\$149,452,564
	Special.....	\$2,434,593		\$2,434,593
	Dedicated Special Revenue.....	\$585,265		\$585,265
	Federal Trust.....	\$151,843,087		\$155,023,323

Authority: Title 63.2, Chapters 1, 2, 4 and 8 through 15, Code of Virginia; P.L. 100-294, P.L. 101-126, P.L. 101-226, P.L. 105-89, P.L. 110-351, P.L. 111-320, as amended, Federal Code.

A. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully reimbursed except that expenditures otherwise subject to a standard local matching share under applicable state policy, including local staffing, shall continue to require local match. The commissioner shall ensure that local social service boards obtain reimbursement for all children eligible for Title IV-E coverage.

B. The Commissioner, Department of Social Services, in cooperation with the Department of Planning and Budget, shall establish a reasonable, automatic adjustment for inflation each year to be applied to the room and board maximum rates paid to foster parents. However, this provision shall apply only in fiscal years following a fiscal year in which

ITEM 345.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
salary increases are provided for state employees.				
C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided for the purchase of services for victims child abuse and neglect prevention activities as stated in § 63.2-1502, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.				
D. Out of this appropriation, \$180,200 the first year and \$180,200 the second year from the general fund and \$99,800 the first year and \$99,800 the second year from nongeneral funds shall be provided to continue respite care for foster parents.				
E. Notwithstanding the provisions of §§ 63.2-1300 through 63.2-1303, Code of Virginia, adoption assistance subsidies and supportive services shall not be available for children adopted through parental placements, except parental placements where the legal guardian is a child placing agency at the time of the adoption. This restriction does not apply to existing adoption assistance agreements.				
F.1. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the general fund shall be provided to implement pilot programs that increase the number of foster care children adopted.				
2. Beginning July 1, 2017, the department shall provide an annual report, not later than 45 days after the end of the state fiscal year, on the use and effectiveness of this funding including, but not limited to, the additional number of special needs children adopted from foster care as a result of this effort and the types of ongoing supportive services provided, to the Governor, Chairmen of House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget.				
G. Out of this appropriation, \$9,485,711 the first year and \$9,485,711 the second year from the general fund and \$7,000,000 the first year and \$7,000,000 the second year from nongeneral funds shall be provided for special needs adoptions.				
H. Out of this appropriation \$71,392,849 the first year and \$71,392,849 the second year from the general fund and \$71,392,848 the first year and \$71,392,848 the second year from nongeneral funds shall be provided for Title IV-E adoption subsidies.				
I. The Commissioner, Department of Social Services, shall ensure that local departments that provide independent living services to persons between 18 and 21 years of age make certain information about and counseling regarding the availability of independent living services is provided to any person who chooses to leave foster care or who chooses to terminate independent living services before his twenty-first birthday. Information shall include the option for restoration of independent living services following termination of independent living services, and the processes whereby independent living services may be restored should he choose to seek restoration of such services in accordance with § 63.2-905.1 of the Code of Virginia.				
J.1. Notwithstanding the provisions of § 63.2-1302, Code of Virginia, the Department of Social Services shall negotiate all adoption assistance agreements with both existing and prospective adoptive parents on behalf of local departments of social services. This provision shall not alter the legal responsibilities of the local departments of social services set out in Chapter 13 of Title 63.2, Code of Virginia, nor alter the rights of the adoptive parents to appeal.				
2. Out of this appropriation, \$342,414 the first year and \$342,414 the second year from the general fund and \$215,900 the first year and \$215,900 the second year from nongeneral funds shall be provided for five positions to execute these negotiations.				
K.1. The Department of Social Services shall partner with Patrick Henry Family Services to implement a pilot program in the area encompassing Planning District 11 (Amherst, Appomattox, Bedford, Campbell Counties and the City of Lynchburg) for the temporary placements of children for children and families in crisis. The pilot program will allow a parent or legal custodian of a minor, with the assistance of Patrick Henry Family Services, to delegate to another person by a properly executed power of attorney any powers regarding care, custody, or property of the minor for a temporary placement for a period that is not greater than 90 days. The program will allow for an option of a one-time 90 day extension.				



ITEM 345.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>2. The department shall ensure that this pilot program meets the following specific programmatic and safety requirements outlined in 22 VAC 40-131 and 22 VAC 40-191:</p> <p>(i) The pilot program organization shall meet the background check requirements described in 22 VAC 40-191.</p> <p>(ii) The pilot program organization shall develop and implement written policies and procedures for governing active and closed cases, admissions, monitoring the administration of medications, prohibiting corporal punishment, ensuring that children are not subjected to abuse or neglect, investigating allegations of misconduct toward children, implementing the child's back-up emergency care plan, assigning designated casework staff, management of all records, discharge policies, and the use of seclusion and restraint (22 VAC 40-131-90).</p> <p>(iii) The pilot program organization shall provide pre-service and ongoing training for temporary placement providers and staff (22 VAC 40-131-210 and 22 VAC 40-131-150).</p> <p>3. The agency shall provide a report on the implementation status of the pilot to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget by September 30, 2022.</p> <p>L.1. Out of this appropriation, \$10,017,668 the first year and \$10,017,668 the second year from the general fund and \$2,500,000 the first year and \$2,500,000 the second year from nongeneral funds shall be available for the reinvestment of adoption general fund savings as authorized in title IV, parts B and E of the federal Social Security Act (P.L. 110-351).</p> <p>2. Of the amounts in paragraph L.1. above, \$3,078,595 the first year and \$3,078,595 the second year from the general fund shall be used to develop a case management module for a comprehensive child welfare information system (CCWIS).</p> <p>M.1. Out of this appropriation, \$3,460,195 the first year and \$7,121,181 the second year from the general fund and \$3,460,195 the first year and \$7,121,181 the second year from nongeneral funds shall be available for the development of a compliant comprehensive child welfare information system (CCWIS).</p> <p>2. In the development of the CCWIS, the department shall not create any future obligation that will require the appropriation of general fund in excess of that provided in this Act. Should additional appropriation, in excess of the amounts identified in this paragraph and paragraph L.2., be needed to complete development of this or any other module for the CCWIS, the department shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget.</p> <p>3. Beginning September 1, 2018, the department shall also provide semi-annual progress reports that includes current project summary, implementation status, accounting of project expenditures and future milestones. All reports shall be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget.</p> <p>N. Out of this appropriation, \$1,009,563 the first year and \$1,009,563 the second year from nongeneral funds shall be used to fund 10 positions that support the child protective services hotline.</p> <p>O. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund and \$50,000 the first year and \$50,000 the second year from nongeneral funds shall be used to fund one position that supports Virginia Fosters.</p> <p>P. Out of this appropriation, \$851,000 the first year and \$851,000 the second year from the general fund is provided for training, consultation and technical support, and licensing costs associated with establishing evidence-based programming as identified in the federal Family First Prevention Services Act (FFPSA) Evidence-Based Programs Clearinghouse.</p> <p>Q. The Department of Social Services shall develop a plan to provide access statewide to a Kinship Navigator Program which will provide services to kinship caregivers who are having trouble finding assistance for their unique needs and to help these caregivers</p>				

ITEM 345.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

navigate their locality's service system, as well as federal and state benefits.

R. The Department of Social Services shall create an emergency approval process for kinship caregivers and develop foster home certification standards for kinship caregivers using as a guide the Model Family Foster Home Licensing Standards developed by the American Bar Association Center on Children and the Law, the Annie E. Casey Foundation, Generations United, and the National Association for Regulatory Administration. The adopted standards should align, as much as reasonably possible, to the Model Family Foster Home Licensing Standards, and should ensure that children in foster care: (i) live in safe and appropriate homes under local department of social services and court oversight; (ii) receive monthly financial assistance and supportive services to help meet their needs; and (iii) can access the permanency options offered by Virginia's Kinship Guardianship Assistance Program.

S. Out of this appropriation, \$3,002,400 the first year and \$4,408,800 the second year from the general fund is provided to make relative maintenance payments.

T. Out of this appropriation, \$50,000 the first year from the general fund shall be provided to implement a public awareness campaign and outreach for the implementation of the Chapter 174, 2022 Acts of Assembly, that provides for the relinquishment of an infant, infant relinquishment locations, and support and resources for parents and the public. The Department of Social Services shall contract with the National Safe Haven Alliance to implement a toll-free 24-hour hotline as required by statute.

346.	Financial Assistance for Supplemental Assistance Services (49100).....			\$142,757,450	\$205,257,450
	General Relief (49101).....	\$500,000	\$500,000		
	Resettlement Assistance (49102).....	\$9,022,000	\$9,022,000		
	Emergency and Energy Assistance (49103).....	\$73,735,450	\$73,735,450		
	Percentage of Income Payment Program (49105).....	\$59,500,000	\$122,000,000		
	Fund Sources: General.....	\$500,000	\$500,000		
	Dedicated Special Revenue.....	\$59,500,000	\$122,000,000		
	Federal Trust.....	\$82,757,450	\$82,757,450		

Authority: Title 2.2, Chapter 54; Title 56, Chapter 23; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 104-193, as amended, Federal Code.

Out of this appropriation, \$59,500,000 the first year and \$122,000,000 the second year from nongeneral funds shall be used to fund the Percentage of Income Payment Program (PIPP). This program shall distribute payments to Dominion Energy and Appalachian Power Company on behalf of their qualifying low-income customers participating in PIPP. The maximum cost of the program shall not exceed \$125.0 million, including a maximum of \$3.0 million for program administration.

347.	Financial Assistance to Community Human Services Organizations (49200).....			\$68,514,789	\$62,900,789
	Community Action Agencies (49201).....	\$22,763,048	\$22,763,048		
	Volunteer Services (49202).....	\$3,866,340	\$3,866,340		
	Other Payments to Human Services Organizations (49203).....	\$41,885,401	\$36,271,401		
	Fund Sources: General.....	\$6,288,500	\$674,500		
	Federal Trust.....	\$62,226,289	\$62,226,289		

Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A.1. All increased state or federal funds distributed to Community Action Agencies shall be distributed as follows: The funds shall be distributed to all local Community Action Agencies according to the Department of Social Services funding formula (75 percent based on low-income population, 20 percent based on number of jurisdictions served, and five percent based on square mileage served), adjusted to ensure that no agency receives less than 1.5 percent of any increase.

2. Out of this appropriation, \$185,725 the first year and \$185,725 the second year from the

ITEM 347.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with the Virginia Community Action Partnership to provide outreach, education and tax preparation services via the Virginia Earned Income Tax Coalition and other community non-profit organizations to citizens who may be eligible for the federal Earned Income Tax Credit (EITC). The contract shall require the Virginia Community Action Partnership to report on its efforts to expand the number of Virginians who are able to claim the federal EITC, including the number of individuals identified who could benefit from the credit, the number of individuals counseled on the availability of federal EITC, and the number of individuals assisted with tax preparation to claim the federal EITC. The annual report from the Virginia Community Action Partnership shall also detail actual expenditures for the program including the sub-contractors that were utilized. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by December 1 each year.</p>				
<p>3. Out of this appropriation, \$9,250,000 the first year and \$9,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with local Community Action Agencies to provide an array of services designed to meet the needs of low-income individuals and families, including the elderly and migrant workers. Services may include, but are not limited to, child care, community and economic development, education, employment, health and nutrition, housing, and transportation.</p>				
<p>4. Out of this appropriation, \$1,125,000 the first year and \$1,125,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided for competitive grants to Community Action Agencies for a Two-Generation/Whole Family Pilot Project and for evaluation of the pilot project. Applicants selected for the pilot project shall provide a match of no less than 20 percent of the grant, including in-kind services. The Department of Social Services shall report to the General Assembly annually on the progress of the pilot project and shall complete a final report on the project no later than six years after the commencement of the project.</p>				
<p>B. The department shall continue to fund from this Item all organizations recognized by the Commonwealth as community action agencies as defined in §2.2-5400 et seq.</p>				
<p>C. Out of this appropriation, \$9,035,501 the first year and \$9,035,501 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with programs that follow the evidence-based Healthy Families America home visiting model that promotes positive parenting, improves child health and development, and reduces child abuse and neglect. The Department of Social Services shall use a portion of the funds from this item to contract with the statewide office of Prevent Child Abuse Virginia for providing the coordination, technical support, quality assurance, training and evaluation of the Virginia Healthy Families programs.</p>				
<p>E. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from nongeneral funds shall be provided for the Child Abuse Prevention Play (the play) administered by Virginia Repertory Theatre. The contract shall include production and live performances of the play that teach child safety awareness to prevent child abuse.</p>				
<p>F. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the general fund shall be provided to contract with the Virginia Alzheimer's Association Chapters to provide dementia-specific training to long-term care workers in licensed nursing facilities, assisted living facilities and adult day care centers who deal with Alzheimer's disease and related disorders.</p>				
<p>G.1. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Northern Virginia Family Services (NVFS) to provide supportive services that address the basic needs of families in crisis, including the provision of food, financial assistance to prevent homelessness, access to health services, and adult workforce development programs. The contract shall require NVFS to provide an intake process that identifies the needs and appropriate services for those in crisis. Outcomes will be measured utilizing surveys provided to those who receive services and NVFS will report quarterly on survey results.</p>				

ITEM 347.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
2. In addition to the amounts in paragraph G. 1., \$500,000 the first year and \$500,000 the second year from the TANF block grant shall be provided out of the appropriation in this item to Northern Virginia Family Services to deploy a neighborhood-based, mobile service delivery and outreach program.				
H. Out of this appropriation, \$405,500 the first year and \$405,500 the second year from the general fund and \$2,136,500 the first year and \$2,136,500 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with child advocacy centers (CAC) to provide a comprehensive, multidisciplinary team response to allegations of child abuse in a dedicated, child-friendly setting. The contracts shall require CACs to provide forensic interviews, victim support and advocacy services, medical evaluations, and mental health services to victims of child abuse and neglect with the expected outcome of reducing child abuse and neglect. The department shall allocate four percent to Children's Advocacy Centers of Virginia (CACVA), the recognized chapter of the National Children's Alliance for Virginia's Child Advocacy Centers, for the purpose of assisting and supporting the development, continuation, and sustainability of community-coordinated, child-focused services delivered by children's advocacy centers (CACs). Of the remaining 96 percent, (i) 65 percent shall be distributed to a baseline allocation determined by the accreditation status of the CAC: (a) developing and associate centers 100 percent of base; (b) accredited centers 150 percent of base; and (c) accredited centers with satellite facilities 175 percent of base; and (ii) 35 percent shall be allocated according to established criteria to include: (a) 25 percent determined by the rate of child abuse per 1,000; (b) 25 percent determined by child population; and (c) 50 percent determined by the number of counties and independent cities serviced.				
I.1. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with the Virginia Early Childhood Foundation (VECF) to support the health and school readiness of Virginia's young children prior to school entry. These funds shall be matched with local public and private resources with a goal of leveraging a dollar for each state dollar provided.				
2. Of the amounts in paragraph I.1. above, \$1,250,000 the first year and \$1,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be used to provide information and assistance to parents and families and to facilitate partnerships with both public and private providers of early childhood services. VECF will track and report statewide and local progress on a biennial basis. The Foundation shall account for the expenditure of these funds by providing the Governor, Secretary of Health and Human Resources, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees with a certified audit and full report on Foundation initiatives and results not later than October 1 of each year for the preceding fiscal year ending June 30.				
3. On or before October 1 of each year, the foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation.				
J. Out of this appropriation \$2,000,000 the first year and \$2,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to the Virginia Alliance of Boys and Girls Clubs to expand community-based prevention and mentoring programs.				
K.1. Out of this appropriation, \$4,500,000 the first year and \$4,500,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant the shall be provided for competitive grants for community employment and training programs designed to move low-income individuals out of poverty through programs designed to assist TANF recipients in obtaining and retaining competitive employment with the prospect of a career path and wage growth and other supportive services designed to break the cycle of poverty and permanently move individuals out of poverty. Of this amount, \$2,000,000 each year shall be provided for competitive grants provided through Employment Services Organizations (ESOs).				
2.a. Out of this appropriation, \$3,000,000 the first year and \$3,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant the shall be provided for a second round of grants for community employment and training programs designed to move				

ITEM 347.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
low-income individuals out of poverty by obtaining and retaining competitive employment with the prospect of a career path and wage growth. The local match requirement shall be reduced to 10 percent, including in-kind services, for grant recipients located in Virginia counties or cities with high fiscal stress as defined by the Commission on Local Government fiscal stress index.				
b. Out of the amounts in 2.a., at least \$300,000 the first year and \$300,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided through a contract with the City of Richmond, Office of Community Wealth for services provided through the Center for Workforce Innovation.				
3. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the the Temporary Assistance to Needy Families (TANF) block grant shall be provided for a third round of competitive grants for community employment and training programs. Out of this amount, \$450,000 each year shall be provided for competitive grants through Employment Services Organizations. The department may encourage applicants to consider developing programs that align or coordinate with the Medicaid Referral program to be developed pursuant to language in Item 304 of this act.				
4. The Department of Social Services shall award grants to qualifying programs through a memorandum of understanding which articulates performance measures and outcomes including the number of individuals participating in services, number of individuals hired into employment, the number of unique employers hiring individuals through organizational programs and activities, the average starting wage of individuals hired, reductions in the rate of poverty, as well as process measures such as how the program targets improvement in poverty over a three to five year period and fits in with long term community goals for reducing poverty. Grants shall require local matching funds of at least 25 percent, including in-kind services.				
5. Community employment and training programs and ESOs shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on the implementation of the programs and any performance and outcome data collected through the memorandum of understanding by June 1 of each year.				
L. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to contract with Youth for Tomorrow (YFT) to provide comprehensive residential, education and counseling services to at-risk youth of the Commonwealth of Virginia who have been sexually exploited, including victims of sex trafficking. The contract shall require YFT to provide individual assessments/individual service planning; individual and group counseling; room and board; coordination of medical and mental health services and referrals; independent living services for youth transitioning out of foster care; active supervision; education; and family reunification services. Youth for Tomorrow shall submit monthly progress reports on activities conducted and progress achieved on outputs, outcomes and other functions/activities during the reporting period. On October 1 of each year, YFT shall provide an annual report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees that details program services, outputs and outcomes.				
M. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the federal Temporary Assistance for Needy Families block grant shall be provided to contract with Visions of Truth Community Development Corporation in Portsmouth, Virginia. The funding will support the Students Taking Responsibility in Valuing Education (STRIVE) suspension/dropout prevention program.				
N. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the federal Temporary Assistance for Needy Families block grant shall be provided to contract with Early Impact Virginia to continue its work in support of Virginia's voluntary home visiting programs. These funds may be used to hire three full-time staff, including a director and an evaluator, and to continue Early Impact Virginia's training partnerships. Early Impact Virginia shall have the authority and responsibility to determine, systematically track, and report annually on the key activities and outcomes of Virginia's home visiting programs; conduct systematic and statewide needs assessments for Virginia's home visiting programs at least once every three years; and to support				

ITEM 347.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
continuous quality improvement, training, and coordination across Virginia's home visiting programs on an ongoing basis. Early Impact Virginia shall report on its findings to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by July 1, 2019 and annually thereafter.				
O. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with the Laurel Center in Winchester to provide services to survivors of domestic abuse and sexual violence in Winchester, Frederick County, Clarke County, and Warren County.				
P. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be provided for the Department of Social Services to contract with Adoption Share, Inc. for the purpose of a pilot program to operate the Family-Match application, which is an online matching tool for state case workers to use in matching foster care children with the best families.				
Q. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to FACETS to provide homeless assistance services in Northern Virginia.				
R. Out of this appropriation, \$3,000,000 the first year and \$3,000,000 the second year from the Temporary Assistance for Needy Families block grant shall be provided to contract with the Virginia Federation of Food Banks to provide child nutrition programs.				
S. Out of this appropriation, \$500,000 the first year and \$500,000 the second year for the Temporary Assistance for Needy Families block grant shall be provided to the Virginia Transit Association to offer competitive grants for public transportation (as defined in Virginia Code §33.2-100) and public transportation demand management service fare passes. The Virginia Transit Association shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on any performance and outcome data collected through the memorandum of understanding by July 1 of each year. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, by September 1 each year.				
T. Out of this appropriation, \$1,200,000 the first year and \$1,200,000 the second year from the Temporary Assistance for Needy Families block grant shall be provided to United Community to offer wrap-around services for low-income families. United Community shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on any performance and outcome data collected through the memorandum of understanding by July 1 of each year. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, by September 1 each year.				
U. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to the Lighthouse Community Center, a nonprofit organization in Planning District 11, to provide housing assistance, or other eligible services, for individuals transitioning out of the criminal justice system and domestic violence situations contingent on contracting for services eligible under the TANF block grant.				
V. 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.				
W. 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.				

ITEM 347.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
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.				
Y. 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.				
Z. Out of this appropriation, \$500,000 the first year from the general fund shall be provided to support the establishment of the Judge Swett Learning Center to promote vocational and educational classes for ex-offenders.				
AA. Out of this appropriation, \$5,000,000 from the general fund the first year shall be provided to Fairfax County for a CASA vocational welcome center in Fairfax County. The funding may be used for capital, programming, and general operating purposes. Matching funds of \$2,500,000 equaling 50% of this funding shall come from private and other nonprofit or governmental funding on a cash or in-kind basis. This funding is to be distributed before the end of fiscal year 2023 and utilized before the end of fiscal year 2027. Funding shall not be distributed for this purpose until Fairfax County has consulted with and received approval from the Secretary of Health and Human Resources.				
BB. Out of this appropriation, \$114,000 from the general fund the first year shall be provided to the Eastern Shore Coalition Against Domestic Violence for operational support and infrastructure of the organization for its programs and administrative operations.				
CC. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the federal Temporary Assistance to Needy Families block grant shall be provided to Good Shepherd Housing and Family Services for housing, emergency services, children's services, budgeting, counseling and other resources for low-income families.				
348. Regulation of Public Facilities and Services (56100).....			\$15,795,849	\$15,285,523
Regulation of Adult and Child Welfare Facilities (56101).....	\$12,653,220	\$12,142,894		
Background Investigation Services (56106).....	\$3,142,629	\$3,142,629		
Fund Sources: General.....	\$8,273,338	\$7,763,012		
Special.....	\$3,280,066	\$3,280,066		
Federal Trust.....	\$4,242,445	\$4,242,445		

Authority: Title 63.2, Chapters 17 and 18, Code of Virginia.

A. The state nongeneral fund amounts collected and paid into the state treasury pursuant to the provisions of § 63.2-1700, Code of Virginia, shall be used for the development and delivery of training for operators and staff of assisted living facilities, adult day care centers, and child welfare agencies.

B. As a condition of this appropriation, the Department of Social Services shall (i) promptly fill all position vacancies that occur in licensing offices so that positions shall not remain vacant for longer than 120 days and (ii) hire sufficient child care licensing specialists to ensure that all child care facilities receive, at a minimum, the two visits per year mandated by § 63.2-1706, Code of Virginia, and that facilities with compliance problems receive additional inspection visits as necessary to ensure compliance with state laws and regulations.

C. As a condition of this appropriation, the Department of Social Services shall utilize a risk assessment instrument for child and adult care enforcement. This instrument shall include criteria for determining when the following sanctions may be used: (i) the imposition of intermediate sanctions, (ii) the denial of licensure renewal or revocation of license of a licensed facility, (iii) injunctive relief against a child care provider, and (iv) additional inspections and intensive oversight of a facility by the Department of Social Services.

ITEM 348.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>D. Out of this appropriation, the Department of Social Services shall implement training for new assisted living facility owners and managers to focus on health and safety issues, and resident rights as they pertain to adult care residences.</p> <p>E. Out of this appropriation, \$786,369 the first year and \$786,369 the second year from the general fund shall be appropriated to fund the operations and maintenance and application software fees for the agency licensing system.</p>				
349.	Emergency Preparedness (77500).....		\$901,997	\$901,997
	Emergency Planning Preparedness Assistance (77503).....	\$901,997	\$901,997	
	Fund Sources: General.....	\$308,851	\$308,851	
	Federal Trust.....	\$593,146	\$593,146	
<p>Authority: Title 44, Chapter 3.2, Code of Virginia</p> <p>A. By October 1 of each year, the Sheltering Coordinator shall provide a status report on the Commonwealth's emergency shelter capabilities and readiness to the Governor, the Secretary of Health and Human Resources, 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 and Appropriations Committees.</p> <p>B.1. The Department of Social Services, in consultation with institutions of higher education, and with the assistance of the Virginia Department of Emergency Management and the Department of General Services, shall develop a model state shelter plan to include but not limited to the process of mobilization and demobilization of the shelter; relocation of residents when a state shelter is de-activated; warehousing of pre-positioned supplies; potential use of existing resources and vendors already under contract with institutions of higher education; and cost estimates for resources that would be reimbursed by the Commonwealth. The Department shall submit a report on the model plan and its recommendations, including challenges implementing such plan in all state shelters, by October 15, 2022, to the chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Health and Human Resources, the Secretary of Education, and the Secretary of Public Safety and Homeland Security, and the Secretary of Finance.</p> <p>2. Notwithstanding any other provision of law, the Department of Social Services, in consultation with the Virginia Department of Emergency Management, shall determine and document the specifications of all goods and services required in the event of state shelter activation and provide the specifications to the Department of General Services. In so doing, the Department shall work with each institution of higher education at which a state shelter may be located to identify site-specific goods and services needs to operate the shelter. The Department will identify the extent to which an institution of higher education may have existing contracts for goods and services that could be used to support state shelter operations. In addition the Department will identify warehousing space that is or may be available at institutions of higher education for the storage of supplies. The department shall revise its specification and warehousing documentation as needed providing updates to the Department of General Services annually thereafter by November 1 each year.</p> <p>3. All state agencies are directed to provide all information or assistance requested by the Department to complete or revise this documentation to support state shelters. Immediately following activation of one or more state shelters, the Department shall be responsible for submitting procurement orders as needed on behalf of affected institutions of higher education to the Virginia Department of Emergency Management and the Department of General Services for fulfillment in support of state shelter activation.</p>				
350.	Administrative and Support Services (49900).....		\$131,597,625	\$131,597,625
	General Management and Direction (49901).....	\$9,680,483	\$9,680,483	
	Information Technology Services (49902).....	\$89,374,741	\$89,374,741	
	Accounting and Budgeting Services (49903).....	\$9,177,113	\$9,177,113	
	Human Resources Services (49914).....	\$6,028,212	\$6,028,212	
	Planning and Evaluation Services (49916).....	\$4,466,011	\$4,466,011	
	Procurement and Distribution Services (49918).....	\$4,456,552	\$4,456,552	
	Public Information Services (49919).....	\$4,084,766	\$4,084,766	



ITEM 350.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Financial and Operational Audits (49929).....	\$4,329,747	\$4,329,747		
Fund Sources: General.....	\$51,423,909	\$51,423,909		
Special.....	\$175,000	\$175,000		
Dedicated Special Revenue.....	\$2,000,000	\$2,000,000		
Federal Trust.....	\$77,998,716	\$77,998,716		

Authority: Title 63.2, Chapter 1; § 2.2-4000 et seq., Code of Virginia; P.L. 98-502, P.L. 104-156, P.L. 104-193, P.L. 104-327, P.L. 105-33, as amended, P.L. 105-89, Federal Code; Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XXI of the federal Social Security Act, as amended.

A. The Department of Social Services shall require localities to report all expenditures on designated social services, regardless of reimbursement from state and federal sources. The Department of Social Services is authorized to include eligible costs in its claim for Temporary Assistance for Needy Families Maintenance of Effort requirements.

B. It is the intent of the General Assembly that the Commissioner, Department of Social Services shall work with localities that seek to voluntarily merge and consolidate their respective local departments of social services. No funds appropriated under this act shall be used to require a locality to merge or consolidate local departments of social services.

C.1. Out of this appropriation, \$836,149 the first year and \$836,149 the second year from the general fund and \$1,331,847 the first year and \$1,331,847 the second year from nongeneral funds shall be provided to support the statewide 2-1-1 Information and Referral System which provides resource and referral information on many of the specialized health and human resource services available in the Commonwealth, including child day care availability and providers in localities throughout the state, and publish consumer-oriented materials for those interested in learning the location of child day care providers.

2. The Department of Social Services shall request that all state and local child-serving agencies within the Commonwealth be included in the Virginia Statewide Information and Referral System as well as any agency or entity that receives state general fund dollars and provides services to families and youth. The Secretary of Health and Human Resources, the Secretary of Education and Workforce, and the Secretary of Public Safety and Homeland Security shall assist in this effort by requesting all affected agencies within their secretariats to submit information to the statewide Information and Referral System and ensure that such information is accurate and updated annually. Agencies shall also notify the Virginia Information and Referral System of any changes in services that may occur throughout the year.

3. The Department of Social Services shall communicate with child-serving agencies within the Commonwealth about the availability of the statewide Information and Referral System. This information shall also be communicated via the Department of Social Services' broadcast system on their agency-wide Intranet so that all local and regional offices can be better informed about the Statewide Information and Referral System. Information on the Statewide Information and Referral System shall also be included within the department's electronic mailings to all local and regional offices at least biannually.

D.1. Within 30 days of awarding or amending any contract related to the Virginia Case Management System (VaCMS), the Department of Social Services (DSS) shall provide the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget with a copy of the contract, including any fiscal implications.

2. Prior to the award of any contract that will potentially obligate the Commonwealth to future unappropriated spending, the department shall receive prior written concurrence from Director, Department of Planning and Budget. Any approved increases in funding requests shall be reported by DSS to the Chairmen of House Appropriations and Senate Finance and Appropriations Committees within 30 days.

E. At least 60 days prior to the modification of any public guidance document, handbook,

ITEM 350.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

manual, or state plan, the Department of Social Services (DSS) shall provide written notification to the Governor and the Director of the Department of Planning and Budget as to the purpose of such change. This notice shall also assess whether the amendment may require any 1) future state regulatory action; 2) increase in local costs; and/or 3) any state expenditure beyond that which is appropriated in this Act. This notice does not exempt the agency from any requirements set forth within § 4-5.03 of this Act.

F. The Department of Social Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15 of each year.

G. The Department of Social Services shall design, for consideration by the 2023 General Assembly, a program that provides a fixed reimbursement, which shall not exceed \$15 monthly, for broadband service costs for select households currently participating in the Supplemental Nutrition Assistance Program. The reimbursement payments under the program shall be structured as a direct payment to a broadband provider selected by the qualifying program participant household, provided that the selected broadband provider offers a low-cost broadband service for low-income households within its service area in the Commonwealth. The department shall develop program guidelines in coordination with the Commonwealth Broadband Chief Advisor to govern eligibility for participation in the program and disbursement of program funds. The department shall report on the program design and structure, administrative cost estimates, program guidelines, and other relevant information related to implementing the program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2022.

H. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund is provided for the Department of Social Services to increase interpretation and translation services to help immigrants in Virginia access local resources through 2-1-1, including healthcare, housing, and other social services.

351. A. In the operation of any program of public assistance, including benefit and service programs in any locality, for which program appropriations are made to the Department of Social Services, it is provided that if a payment or overpayment is made to an individual who is ineligible therefor under federal and/or state statutes and regulations, the amount of such payment or overpayment shall be returned to the Department of Social Services by the locality.

B. However, no such repayments may be required of the locality if the department determines that such overpayment or payments to ineligibles resulted from the promulgation of vague or conflicting regulations by the department or from the failure of the department to make timely distribution to the localities of the statutes, rules, regulations, and policy decisions, causing the overpayment or payment to ineligible(s) to be made by the locality or from situations where a locality exercised due diligence, yet received incomplete or incorrect information from the client which caused the overpayment or payment to ineligibles. If a locality fails to effect the return, the Department of Social Services shall withhold an equal amount from the next disbursement made by the department to the locality for the same program.

C. The Department of Social Services shall implement the guidance issued by the U.S. Department of Health and Human Services concerning the obligation of recipients of federal financial assistance to comply with Title VI of the Civil Rights Act of 1964 by ensuring that meaningful access to federally-funded programs, activities and services administered by the department is provided to limited English proficient (LEP) persons, 63 Fed. Reg. 47,311-47,323 (August 8, 2003). At a minimum, the department shall (i) identify the need for language assistance by analyzing the following factors: (1) the number or proportion of LEP persons in the eligible service population, (2) the frequency of contact with such persons, (3) the nature and importance of the program, activity or service, and (4) the costs of providing language assistance and resources available; (ii) translate vital documents into the language of each frequently encountered LEP group eligible to be served; (iii) provide accurate and timely oral interpreter services; and (iv) develop an effective implementation plan to address the identified needs of the LEP populations served.

ITEM 351.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

352. A. The amount for the Supplemental Nutrition Assistance Program (SNAP) shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.
- B. Pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the Department of Social Services shall, in cooperation with local departments of social services, maintain a waiver of the work requirement for Supplemental Nutrition Assistance Program (SNAP) recipients residing in areas that do not have a sufficient number of jobs to provide employment for such individuals, including those areas designated as labor surplus areas by the U.S. Department of Labor.
- C. To the extent permitted by federal law, Supplemental Nutrition Assistance Program (SNAP) recipients subject to a work requirement pursuant to § 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, as amended, shall be permitted to satisfy such work requirement by providing volunteer services to a public or private, nonprofit agency for the number of hours per month determined by dividing the household's monthly SNAP allotment by the federal minimum wage.
- D. The Department of Social Services shall, to the extent permitted by federal law, disregard the value of at least one motor vehicle per household in determining eligibility for the Supplemental Nutrition Assistance Program (SNAP).
- E. The Department of Social Services shall develop a multi-lingual outreach campaign to inform qualified aliens and their children, who are United States citizens, of their eligibility for the federal Supplemental Nutrition Assistance Program (SNAP) and ensure that they have access to benefits under SNAP. To the extent permitted by federal law, the department shall administer SNAP in a way that minimizes the procedural burden on qualified aliens and addresses concerns about the impact of SNAP receipt on their immigration sponsors and status.

Total for Department of Social Services.....			<b>\$2,257,237,100</b>	<b>\$2,317,362,290</b>
General Fund Positions.....	674.00	671.50		
Nongeneral Fund Positions.....	1,086.50	1,084.00		
Position Level.....	1,760.50	1,755.50		
Fund Sources: General.....	\$512,579,795	\$506,400,227		
Special.....	\$705,977,963	\$706,085,947		
Dedicated Special Revenue.....	\$71,727,903	\$134,227,903		
Federal Trust.....	\$966,951,439	\$970,648,213		

**§ 1-97. VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES (606)**

353. Social Services Research, Planning, and Coordination (45000).....			\$1,732,973	\$1,732,973
Research, Planning, Outreach, Advocacy, and Systems Improvement (45002).....	\$1,049,528	\$1,049,528		
Administrative Services (45006).....	\$683,445	\$683,445		
Fund Sources: General.....	\$234,058	\$234,058		
Federal Trust.....	\$1,498,915	\$1,498,915		

Authority: Title 51.5, Chapter 7, Code of Virginia.

Up to \$44,474 the first year and up to \$44,474 the second year is available for the Virginia Board for People with Disabilities (VBPD) to contract with the Department for Aging and Rehabilitative Services (DARS) for the provision of shared administrative services. The scope of the services and specific costs shall be outlined in a memorandum of understanding (MOU) between VBPD and DARS subject to the approval of the respective

ITEM 353.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	agency heads. Any revision to the MOU shall be reported by DARS to the Director, Department of Planning and Budget within 30 days.			
354.				
			\$401,475	\$401,475
	\$401,475	\$401,475		
	\$401,475	\$401,475		
	Authority: Title 51.5, Chapter 7, Code of Virginia.			
			\$2,134,448	\$2,134,448
	1.60	1.60		
	8.40	8.40		
	10.00	10.00		
	\$234,058	\$234,058		
	\$1,900,390	\$1,900,390		

**§ 1-98. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)**

355.			\$1,325,674	\$1,325,674
	\$1,325,674	\$1,325,674		
	\$1,325,674	\$1,325,674		

Authority: § 51.5-74, Code of Virginia; P.L. 89-522, and P.L. 101-254, Federal Code.

Out of this appropriation, \$266,163 the first year and \$266,363 the second year from the general fund shall be used to contract for the provision of radio reading services for the blind and vision impaired.

356.			\$1,831,435	\$1,831,435
	\$769,766	\$769,766		
	\$1,061,669	\$1,061,669		
	\$1,103,679	\$1,103,679		
	\$55,000	\$55,000		
	\$672,756	\$672,756		

Authority: §§ 22.1-214 and 22.1-217, Code of Virginia; P.L. 89-313, P.L. 97-35 and P.L. 102-119, Federal Code.

357.			\$14,947,012	\$14,947,012
	\$274,513	\$274,513		
	\$9,094,010	\$9,094,010		
	\$5,107,915	\$5,107,915		
	\$470,574	\$470,574		
	\$3,642,238	\$3,642,238		
	\$844,731	\$844,731		
	\$10,460,043	\$10,460,043		

Authority: § 51.5-1 and Title 51.5, Chapter 1, Code of Virginia; P.L. 93-516 and P.L. 93-112, Federal Code.

A. It is the intent of the General Assembly that visually handicapped persons who have completed vocational training as food service managers through programs operated by the Department be considered for food service management position openings within the Commonwealth as they arise.

B. 1.The annual federal vocational rehabilitation grant award that will be received by the

ITEM 357.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Department for the Blind and Vision Impaired (DBVI) is estimated at \$9,939,129 for federal fiscal year 2022; \$9,939,129 for federal fiscal year 2023; and \$9,939,129 for federal fiscal year 2024. In addition to the base annual award amount, DBVI may request up to \$2,000,000 of additional federal reallocation dollars in each of these years. Assuming these amounts, the annual 21.3 percent state matching requirement would equate to \$3,231,302 for federal fiscal year 2022; \$3,231,302 for federal fiscal year 2023; and \$3,231,302 for federal fiscal year 2024.</p> <p>2. Based on the projection of federal award funding in paragraph B.1., DBVI shall not request federal vocational rehabilitation grant dollars in excess of \$11,939,129 for federal fiscal year 2022; \$11,939,129 for federal fiscal year 2023; and \$11,939,129 for federal fiscal year 2024, without prior written concurrence from the Director, Department of Planning and Budget. Any approved increases in grant award requests shall be reported by DARS to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within 30 days.</p>				
358.	Regional Office Support and Administration (49700).....		\$3,098,229	\$3,098,229
	Regional Office and Field Support Services (49701).....			
	\$3,098,229	\$3,098,229		
	Fund Sources: General.....			
	\$1,567,029	\$1,567,029		
	Federal Trust.....			
	\$1,531,200	\$1,531,200		
<p>Authority: Title 2.2, Chapter 36; Title 51.5, Chapter 13, Code of Virginia; P.L. 93-112 and P.L. 97-35, Federal Code.</p>				
359.	Rehabilitative Industries (81000).....		\$62,857,956	\$62,857,956
	Manufacturing, Retail, and Contract Operations (81003).....			
	\$62,857,956	\$62,857,956		
	Fund Sources: Enterprise.....			
	\$62,857,956	\$62,857,956		
<p>Authority: § 51.5-72, Code of Virginia; P.L. 92-29 and P.L. 93-112, Federal Code.</p> <p>The Industry Production Workers with the Virginia Industries for the Blind shall not be counted in the classified employment levels of the Department for the Blind and Vision Impaired.</p>				
360.	Administrative and Support Services (49900).....		\$5,272,071	\$5,272,071
	General Management and Direction (49901).....			
	\$3,442,339	\$3,442,339		
	Physical Plant Services (49915).....			
	\$1,829,732	\$1,829,732		
	Fund Sources: General.....			
	\$1,624,159	\$1,624,159		
	Special.....			
	\$1,465,692	\$1,465,692		
	Enterprise.....			
	\$1,500,000	\$1,500,000		
	Trust and Agency.....			
	\$223,109	\$223,109		
	Federal Trust.....			
	\$459,111	\$459,111		
<p>Authority: Title 63.2, Chapter 4, Code of Virginia; P.L. 89-313, P.L. 93-112, and P.L. 97-35, Federal Code.</p> <p>Up to \$1,556,997 the first year and up to \$1,556,997 the second year is available for the Department for the Blind and Vision Impaired (DBVI) to contract with the Department for Aging and Rehabilitative Services (DARS) for the provision of shared administrative services. The scope of the services and specific costs shall be outlined in a memorandum of understanding (MOU) between DBVI and DARS subject to the approval of the respective agency heads. Any revision to the MOU shall be reported by DARS to the Director, Department of Planning and Budget within 30 days.</p>				
Total for Department for the Blind and Vision Impaired.....			<b>\$89,332,377</b>	<b>\$89,332,377</b>
	General Fund Positions.....		69.00	69.00
	Nongeneral Fund Positions.....		93.00	93.00
	Position Level.....		162.00	162.00

ITEM 360.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$9,262,779	\$9,262,779		
Special.....	\$2,310,423	\$2,310,423		
Enterprise.....	\$64,357,956	\$64,357,956		
Trust and Agency.....	\$278,109	\$278,109		
Federal Trust.....	\$13,123,110	\$13,123,110		
<b>Virginia Rehabilitation Center for the Blind and Vision Impaired (263)</b>				
361. Rehabilitation Assistance Services (45400).....			\$1,705,313	\$1,705,313
Social and Personal Adjustment to Blindness Training (45408).....	\$1,705,313	\$1,705,313		
Fund Sources: General.....	\$172,500	\$172,500		
Special.....	\$6,000	\$6,000		
Enterprise.....	\$50,000	\$50,000		
Federal Trust.....	\$1,476,813	\$1,476,813		
Authority: § 51.5-1, Code of Virginia; P.L. 93-112, Federal Code.				
362. Administrative and Support Services (49900).....			\$1,441,328	\$1,441,328
General Management and Direction (49901).....	\$694,480	\$694,480		
Food and Dietary Services (49907).....	\$274,000	\$274,000		
Physical Plant Services (49915).....	\$472,848	\$472,848		
Fund Sources: General.....	\$189,239	\$189,239		
Special.....	\$38,145	\$38,145		
Federal Trust.....	\$1,213,944	\$1,213,944		
Authority: § 51.5-73, Code of Virginia; P.L. 93-112, Federal Code.				
Out of this appropriation, \$172,250 the first year and \$172,250 the second year from the general fund shall be used for training individuals whose cost cannot be covered by federal vocational rehabilitation revenue. It is estimated that this funding will support 21 blind, deafblind, and vision impaired individuals.				
Total for Virginia Rehabilitation Center for the Blind and Vision Impaired.....			<b>\$3,146,641</b>	<b>\$3,146,641</b>
Nongeneral Fund Positions.....	26.00	26.00		
Position Level.....	26.00	26.00		
Fund Sources: General.....	\$361,739	\$361,739		
Special.....	\$44,145	\$44,145		
Enterprise.....	\$50,000	\$50,000		
Federal Trust.....	\$2,690,757	\$2,690,757		
Grand Total for Department for the Blind and Vision Impaired.....			<b>\$92,479,018</b>	<b>\$92,479,018</b>
General Fund Positions.....	69.00	69.00		
Nongeneral Fund Positions.....	119.00	119.00		
Position Level.....	188.00	188.00		
Fund Sources: General.....	\$9,624,518	\$9,624,518		
Special.....	\$2,354,568	\$2,354,568		
Enterprise.....	\$64,407,956	\$64,407,956		
Trust and Agency.....	\$278,109	\$278,109		
Federal Trust.....	\$15,813,867	\$15,813,867		
TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES.....			<b>\$26,364,044,319</b>	<b>\$26,810,037,425</b>
General Fund Positions.....	8,685.05	8,680.05		
Nongeneral Fund Positions.....	6,392.72	6,393.72		

ITEM 362.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Position Level.....	15,077.77	15,073.77		
Fund Sources: General.....	\$8,147,018,966	\$8,659,235,813		
Special.....	\$1,028,016,724	\$1,036,820,028		
Enterprise.....	\$64,407,956	\$64,407,956		
Trust and Agency.....	\$1,728,674	\$1,728,674		
Dedicated Special Revenue.....	\$1,917,958,869	\$2,016,656,789		
Federal Trust.....	\$15,204,913,130	\$15,031,188,165		

ITEM 363.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**OFFICE OF LABOR**

**§ 1-99. SECRETARY OF LABOR (195)**

363.	Administrative and Support Services (79900).....			\$599,192	\$599,192
	General Management and Direction (79901).....	\$599,192	\$599,192		
	Fund Sources: General.....	\$599,192	\$599,192		

Authority: Title 2.2, Chapter 2, Article 6.1; § 2.2-214.2, Code of Virginia.

The Secretary of Labor shall competitively procure a national firm with expertise in evaluating the efficiency of an organization's staffing structure, delegation of staff duties, and work processes to conduct a comprehensive efficiency review of the Unemployment Insurance (UI) operations of the Virginia Employment Commission (VEC) to (i) identify specific actions that could be taken to improve the efficiency of VEC's UI operations, including through more efficient and effective use of staff and technology; (ii) recommend improvements to the agency's staffing and workflows to most effectively use existing federal funding for UI operations; and (iii) determine whether current funding is adequate to ensure effective UI operations. The Secretary shall issue an interim report of its findings and recommendations to the General Assembly no later than December 1, 2022 and a final report no later than September 1, 2023.

	Total for Secretary of Labor.....			<b>\$599,192</b>	<b>\$599,192</b>
	General Fund Positions.....	4.00	4.00		
	Position Level.....	4.00	4.00		
	Fund Sources: General.....	\$599,192	\$599,192		

**§ 1-100. DEPARTMENT OF LABOR AND INDUSTRY (181)**

364.	Economic Development Services (53400).....			\$2,557,097	\$2,557,097
	Apprenticeship Program (53409).....	\$2,557,097	\$2,557,097		
	Fund Sources: General.....	\$2,000,159	\$2,000,159		
	Federal Trust.....	\$556,938	\$556,938		

Authority: Title 40.1, Chapter 6, Code of Virginia.

The Office of Registered Apprenticeship within the Department of Labor and Industry shall provide detailed registered apprenticeship data to the Office of Education and Labor Market Alignment in the Virginia Economic Development Partnership Authority on or before December 31, 2022, and quarterly following the date of the initial data delivery. To the extent possible, all data fields requested by the Office of Education and Labor Market Alignment shall be furnished by the Division of Registered Apprenticeship. Data fields shall include the start date of the apprenticeship, the end date of the apprenticeship, occupation, journeyman certifications issued, and other such elements deemed appropriate by the Office of Education and Labor Market Alignment. If federal apprenticeship regulation prohibits data sharing, the Department of Labor and Industry shall submit an explanatory statement including relevant federal regulatory citations to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee on or before December 31, 2022, addressing its inability to comply with the provisions of this paragraph.

365.	Regulation of Business Practices (55200).....			\$2,647,405	\$2,047,405
	Labor Law Services (55206).....	\$2,647,405	\$2,047,405		
	Fund Sources: General.....	\$2,647,405	\$2,047,405		

Authority: Title 40.1, Chapters 1, 3, 4, and 5, Code of Virginia.

A. Out of the amounts in this item, \$843,442 the first year and \$843,442 the second year from the general fund is provided to support additional positions within the Labor and Employment Law Division, including one attorney, one supervisor, one administrative staff, and five



ITEM 365.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
investigators.				
<p>B.1. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's minimum wage program, including, but not limited to, the number of (i) customer contacts concerning minimum wage, (ii) minimum wage claims processed, (iii) cases with wages collected, (iv) cases with claims ruled invalid, (v) cases with final orders issued, and (vi) cases cleared within 90 days.</p> <p>2. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in payment of wage program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving payment of wage complaints or proceedings, (ii) payment of wage discrimination complaints processed, (iii) meritorious complaints with payment of wage discrimination resolved with either reinstatement or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.</p> <p>3. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in worker misclassification program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving worker misclassification, (ii) discrimination in worker misclassification claims processed, (iii) meritorious complaints with worker misclassification wage discrimination resolved with either reinstatement and/or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.</p> <p>4. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's prevailing wage rate program, including, but not limited to, the number of (i) contacts from state agencies to determine the proper prevailing wage, (ii) prevailing wage determinations for the involved planning district calculated using Davis-Bacon rates for the cities and counties within the planning district, and (iii) contractor provided scale of pay and fringe benefits certified and received.</p>				
366.	Regulation of Individual Safety (55500).....		\$14,540,625	\$12,740,625
	Virginia Occupational Safety and Health Services (55501).....	\$14,540,625	\$12,740,625	
	Fund Sources: General.....	\$7,804,826	\$6,004,826	
	Special.....	\$885,449	\$885,449	
	Federal Trust.....	\$5,850,350	\$5,850,350	
<p>Authority: Title 40.1, Chapters 1, 3, 3.2, and 3.3; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia.</p> <p>A. Notwithstanding § 40.1-49.4 D., Code of Virginia, and § 4-2.02 of this act, the Department of Labor and Industry may retain up to \$481,350 in civil penalties assessed pursuant to § 40.1-49.4, Code of Virginia, as the required federal grant match for voluntary protection and voluntary compliance programs.</p> <p>B. Of the amounts provided in this item, \$650,000 the first year and \$650,000 the second year from the general fund is provided to support three positions in the Virginia Occupational Safety and Health Voluntary Protection Program and three positions in the Office of Consultation Services.</p>				
367.	Regulation of Structure Safety (56200).....		\$604,067	\$604,067
	Boiler and Pressure Vessel Safety Services (56201).....	\$604,067	\$604,067	
	Fund Sources: General.....	\$604,067	\$604,067	

ITEM 367.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Authority: Title 40.1, Chapter 3.1, Code of Virginia.				
368.	Administrative and Support Services (59900).....		\$5,724,259	\$4,624,259
	General Management and Direction (59901).....	\$5,724,259	\$4,624,259	
	Fund Sources: General.....	\$4,622,809	\$3,522,809	
	Special.....	\$1,101,450	\$1,101,450	
Authority: Title 40.1, Chapters 1, 3, 3.1, 3.2, 3.3, 4, 5, and 6; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia.				
	Total for Department of Labor and Industry.....		<b>\$26,073,453</b>	<b>\$22,573,453</b>
	General Fund Positions.....	138.90	138.90	
	Nongeneral Fund Positions.....	64.10	64.10	
	Position Level.....	203.00	203.00	
	Fund Sources: General.....	\$17,679,266	\$14,179,266	
	Special.....	\$1,986,899	\$1,986,899	
	Federal Trust.....	\$6,407,288	\$6,407,288	

**§ 1-101. DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION (222)**

369.	Regulation of Professions and Occupations (56000)...		\$26,020,013	\$26,020,013
	Licensure, Certification, and Registration of Professions and Occupations (56046).....	\$8,161,380	\$8,161,380	
	Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047).....	\$8,809,243	\$8,809,243	
	Administrative Services (56048).....	\$9,049,390	\$9,049,390	
	Fund Sources: Special.....	\$1,328,410	\$1,328,410	
	Dedicated Special Revenue.....	\$24,141,603	\$24,141,603	
	Federal Trust.....	\$550,000	\$550,000	

Authority: Title 54.1, Chapters 1, 2, 3, 4, 5, 6, 7, 8.1, 9, 11, 15, 18, 20.1, 20.2, 21, 22, 22.1, 23, 23.1, 23.2, 23.3, and 23.4; Title 55, Chapters 4.1, 4.2, 19, 21, 24, 26, 27, 28, and 29; and Title 36, Chapter 5.1, Code of Virginia.

A. Costs for professional and occupational regulation may be met by fees paid by the respective professions and occupations.

B. Any fund balances currently held in the Dedicated Special Revenue Fund (0900), the Common Interest Community Management Information Fund (0259) and the Special Revenue Fund (0200) shall be held in reserve and may not be disbursed by the Department of Professional and Occupational Regulation, but shall be applied to offset the anticipated, future costs of restructuring its organization, including additional staffing needs and the replacement or upgrade of the Department's information technology systems requirements that may be implemented pursuant to recommendations identified in assessments required in Item 119, paragraphs B. and C., Chapter 854, 2019 Acts of Assembly. Such reserve funds shall be disbursed only to cover expenses of the Department or its regulatory boards as provided in § 54.1-308.

C. The Department is authorized to provide electronic credentials to persons regulated by the Department or its regulatory boards. An "electronic credential" means an electronic method by which a person may display or transmit to another person information that verifies information about a person such as their certification, licensure, registration, or permit. Any statutory or regulatory requirement to display, post, or produce a credential issued by a Department regulatory board or the Department may be satisfied by the proffer of an electronic credential. The Department may use a third-party electronic credential system that is not maintained by the agency. Such electronic credential system shall include a verification system that is operated by the agency or its agent on its behalf for the purpose of verifying the authenticity and validity of electronic credentials issued by the Department. No funds are appropriated for this purpose.

ITEM 369.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Total for Department of Professional and Occupational Regulation.....			\$26,020,013	\$26,020,013
Nongeneral Fund Positions.....	204.00	204.00		
Position Level.....	204.00	204.00		
Fund Sources: Special.....	\$1,328,410	\$1,328,410		
Dedicated Special Revenue.....	\$24,141,603	\$24,141,603		
Federal Trust.....	\$550,000	\$550,000		

**§ 1-102. VIRGINIA EMPLOYMENT COMMISSION (182)**

370.	Workforce Systems Services (47000).....			\$712,426,719	\$639,054,137
	Job Placement Services (47001).....	\$47,856,967	\$47,928,392		
	Unemployment Insurance Services (47002).....	\$663,622,004	\$590,182,648		
	Workforce Development Services (47003).....	\$947,748	\$943,097		
	Fund Sources: Special.....	\$10,748,905	\$10,500,443		
	Trust and Agency.....	\$701,677,814	\$628,553,694		

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



ITEM 370.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	Committee on Commerce and Energy, the Senate Committee on Commerce and Labor, the Commission on Unemployment Compensation, and the Governor by February 1, 2023. The VEC shall also publish these results, and subsequent updates, on its website.			
371.	Economic Development Services (53400).....		\$3,263,249	\$3,252,979
	Economic Information Services (53402).....	\$3,263,249	\$3,252,979	
	Fund Sources: Special.....	\$540,060	\$540,060	
	Trust and Agency.....	\$2,723,189	\$2,712,919	
	Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.			
372.	For payment to the Secretary of the Treasury of the United States to the credit of the federal unemployment trust fund established by the Social Security Act, to be held for the state upon the terms and conditions provided in the said Social Security Act, there is hereby appropriated the amount remaining in the clearing account of the Unemployment Compensation Fund created by § 60.2-301, Code of Virginia, after deducting the refunds payable therefrom pursuant to § 60.2-301, Code of Virginia, a sum sufficient.			
	Total for Virginia Employment Commission.....		<b>\$715,689,968</b>	<b>\$642,307,116</b>
	General Fund Positions.....	5.00	5.00	
	Nongeneral Fund Positions.....	865.00	865.00	
	Position Level.....	870.00	870.00	
	Fund Sources: Special.....	\$11,288,965	\$11,040,503	
	Trust and Agency.....	\$704,401,003	\$631,266,613	
	<b>TOTAL FOR OFFICE OF LABOR.....</b>		<b>\$768,382,626</b>	<b>\$691,499,774</b>
	General Fund Positions.....	147.90	147.90	
	Nongeneral Fund Positions.....	1,133.10	1,133.10	
	Position Level.....	1,281.00	1,281.00	
	Fund Sources: General.....	\$18,278,458	\$14,778,458	
	Special.....	\$14,604,274	\$14,355,812	
	Trust and Agency.....	\$704,401,003	\$631,266,613	
	Dedicated Special Revenue.....	\$24,141,603	\$24,141,603	
	Federal Trust.....	\$6,957,288	\$6,957,288	

ITEM 373.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**OFFICE OF NATURAL AND HISTORIC RESOURCES**

**§ 1-103. SECRETARY OF NATURAL AND HISTORIC RESOURCES (183)**

373.	Administrative and Support Services (79900).....			\$783,240	\$783,240
	General Management and Direction (79901).....	\$783,240	\$783,240		
	Fund Sources: General.....	\$669,542	\$669,542		
	Federal Trust.....	\$113,698	\$113,698		

Authority: Title 2.2, Chapter 2, Article 7; and § 2.2-201, Code of Virginia.

A. The Secretary of Natural and Historic Resources shall report to the Chairs of the Senate Committees on Finance and Appropriations, and Agriculture, Conservation, and Natural Resources, and the House Committees on Appropriations and Conservation and Natural Resources, by November 4 of each year on implementation of the Chesapeake Bay nutrient reduction strategies. The report shall include and address the progress and costs of point source and nonpoint source pollution strategies. The report shall include, but not be limited to, information on levels of dissolved oxygen, acres of submerged aquatic vegetation, computer modeling, variety and numbers of living resources, and other relevant measures for the General Assembly to evaluate the progress and effectiveness of the tributary strategies. In addition, the Secretary shall include information on the status of all of Virginia's commitments to the Chesapeake Bay Agreements.

B. It is the intent of the General Assembly that a reserve be created within the Virginia Water Quality Improvement Fund to support the purposes delineated within the Virginia Water Quality Improvement Act of 1997 (WQIA 1997) when year-end general fund surpluses are unavailable. Consequently, 15 percent of any amounts appropriated to the Virginia Water Quality Improvement Fund due to annual general fund revenue collections in excess of the official estimates contained in the general appropriation act shall be withheld from appropriation, unless otherwise specified. When annual general fund revenue collections do not exceed the official revenue estimates contained in the general appropriation act, the reserve fund may be used for WQIA 1997 purposes as directed by the General Assembly within the general appropriation act.

C. The Secretary of Natural and Historic Resources, with the assistance of the Directors of the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Wildlife Resources, and the Department of Historic Resources, shall provide an annual report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of all projects undertaken pursuant to a settlement or mitigation agreement upon which the Secretary of Natural and Historic Resources is an authorized signatory on behalf of the Governor by November 15 each year until all terms of the settlement or mitigation agreement are satisfied. In addition, whenever a settlement or mitigation agreement is finalized, the Secretary shall provide a copy of, and explanation of, the terms of such settlement to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 15 days.

	Total for Secretary of Natural and Historic Resources.....			<b>\$783,240</b>	<b>\$783,240</b>
	General Fund Positions.....	5.00	5.00		
	Position Level.....	5.00	5.00		
	Fund Sources: General.....	\$669,542	\$669,542		
	Federal Trust.....	\$113,698	\$113,698		

**§ 1-104. DEPARTMENT OF CONSERVATION AND RECREATION (199)**

374.	Land and Resource Management (50300).....			\$483,960,272	\$135,547,272
	Soil and Water Conservation (50301).....	\$327,239,500	\$14,226,500		
	Dam Inventory, Evaluation and Classification and Flood Plain Management (50314).....	\$124,095,999	\$89,095,999		

ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Natural Heritage Preservation and Management (50317).....	\$6,227,682	\$6,227,682		
Financial Assistance to Soil and Water Conservation Districts (50320).....	\$11,847,091	\$11,447,091		
Technical Assistance to Soil and Water Conservation Districts (50322).....	\$5,850,000	\$5,850,000		
Agricultural Best Management Practices Cost Share Assistance (50323).....	\$8,700,000	\$8,700,000		
Fund Sources: General.....	\$353,228,401	\$29,815,401		
Special.....	\$1,040,887	\$1,040,887		
Dedicated Special Revenue.....	\$122,251,202	\$97,251,202		
Federal Trust.....	\$7,439,782	\$7,439,782		

Authority: Title 10.1, Chapters 1, 2, 5, 6, 7, and 21.1; Title 62.1, Chapter 3.1, Code of Virginia.

A.1. Out of the amounts appropriated for Financial Assistance to Virginia Soil and Water Conservation Districts, \$11,347,091 the first year and \$10,947,091 the second year from the general fund shall be provided to soil and water conservation districts for administrative and operational support. These funds shall be distributed upon approval by the Virginia Soil and Water Conservation Board to the districts in accordance with the Board's established financial allocation policy. Of this amount, \$9,965,091 the first year and \$9,565,091 the second year from the general fund shall be distributed to the districts for core administrative and operational expenses (personnel, training, travel, rent, utilities, office support, and equipment) based on identified budget projections and in accordance with the Board's financial allocation policy; \$468,000 the first year and \$468,000 the second year from the general fund shall be distributed at a rate of \$4,500 per dam for maintenance; \$500,000 the first year and \$500,000 the second year from the general fund for small dam repairs of known or suspected deficiencies; \$400,000 the first year from the general fund for the purchase and installation of remote monitoring equipment for District-owned dams; and \$170,000 the first year and \$170,000 the second year to the department to provide district support in accordance with Board policy, including, but not limited to, services related to auditing, bonding, contracts, and training. The amount appropriated for small dam repairs of known or suspected deficiencies and the purchase and installation of remote monitoring equipment is authorized for transfer to the Soil and Water Conservation District Dam Maintenance, Repair, and Rehabilitation Fund.

2. Out of the appropriation in this Item, \$4,550,000 the first year and \$4,550,000 the second year shall be provided for base technical assistance support for the Virginia Soil and Water Conservation Districts. These funds shall be distributed upon approval by the Virginia Soil and Water Conservation Board to the districts in accordance with the Board's established financial allocation policy. These amounts shall be in addition to any other funding provided to the districts for technical assistance pursuant to subsections B and C of this Item for appropriations in excess of \$35,000,000.

3. The department shall provide a semi-annual report on or before February 15 and August 15 of each year to the Chairmen of the House Appropriations and Senate and Appropriations Finance Committees on each Virginia soil and water conservation district's budget, revised budget, previous year's balance budget, and expenditure for the following: (i) the federal Conservation Reserve Enhancement Program, (ii) the use of Agricultural Best Management Cost-Share Program funds within the Chesapeake Bay watershed, (iii) the use of Agricultural Best Management Cost-Share Program funds within the Southern Rivers area, and (iv) the amount of Technical Assistance funding. The August 15 report shall reflect cumulative amounts.

4. As part of the semi-annual report, the department shall assess the impact of settlement agreements with the Commonwealth entered into between July 1, 2017, and June 30, 2022, on achieving an effective level of Soil and Water Conservation District technical assistance funding and the implementation of agricultural best management practices pursuant to § 10.1-546.1., Code of Virginia. The department shall include in its report any amounts from the settlements including: 1) estimation of the timeline and amount for each fiscal year to implement agricultural best management practices; and 2) estimation of the timeline and amount for each fiscal year of additional technical assistance provided as a

ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

result of the additional funding from the settlements.

B.1. Notwithstanding § 10.1-2129 A., Code of Virginia, \$313,013,000 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997. Of this amount in the first year, \$40,610,000 shall be appropriated to the Department for the following specified statewide uses: \$7,000,000 to the Department to support the Small Herd Initiative as approved by the Virginia Soil and Water Conservation Board, \$6,000,000 shall be used for the Commonwealth's match for participation in the Federal Conservation Reserve Enhancement Program (CREP); \$5,000,000 to the Department of Environmental Quality to support newly regulated municipal separate storm sewer system (MS4) localities; \$3,500,000 shall be provided the Department of Environmental Quality, collaborating with the Department of Health, to conduct studies of Harmful Algal Blooms occurring in the Shenandoah River and Lake Anna; \$4,560,000 shall be allocated for special nonpoint source reduction projects to include, but not be limited to, poultry litter transport, grants related to the development and certification of Resource Management Plans developed pursuant to §10.1-104.7, and, in the Chesapeake Bay watershed, grants related to the development and implementation of nutrient management plans developed in accordance with the regulations adopted pursuant to §10.1-104.2; \$4,000,000 shall be transferred to the Virginia Association of Soil and Water Conservation Districts to be used for the Virginia Conservation Assistance Program (VCAP); \$4,000,000 shall be transferred to the Department of Forestry for the Virginia Trees for Clean Water program; \$2,000,000 shall be provided to the Department to provide additional incentives for the maintenance of riparian buffers by agricultural producers; \$1,000,000 shall be provided to the Department of Environmental Quality to assist with the implementation of best management practices in accordance with the State Lands Watershed Implementation Plan; \$1,500,000 shall be provided to the Department for the development and continued maintenance of the Conservation Application Suite including costs related to servers and necessary software licenses; \$700,000 shall be provided to the Virginia Cooperative Extension, collaborating with the Department, to provide enhanced and targeted outreach, education, and technical assistance for agricultural and residential landowners in the Chesapeake Bay watershed; \$1,000,000 shall be transferred to the Department of Forestry for water quality grants; \$250,000 to the Department for the Small Farm Outreach Program; and \$100,000 shall be transferred to the Department of Health, collaborating with the Virginia Institute of Marine Sciences, to conduct analysis on statewide septic hot spots and map communities with failing or failed onsite wastewater treatment. \$15,895,679 is designated for deposit to the reserve within the Virginia Water Quality Improvement Fund.

2. Of the remaining amount in the first year, \$256,507,321 is authorized for transfer to the Virginia Natural Resources Commitment Fund, a sub fund of the Water Quality Improvement Fund. Notwithstanding any other provision of law, the funds transferred to the Virginia Natural Resources Commitment Fund shall be distributed by the Department upon approval of the Virginia Soil and Water Conservation Board in accordance with the board's developed policies, as follows: \$164,744,889 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, \$70,604,953 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively outside the Chesapeake Bay watershed, and an additional \$21,157,479 in addition to the base funding provided in A.1. shall be appropriated for Technical Assistance for Virginia Soil and Water Conservation Districts.

3. Of the funds that are provided in paragraph B.1. to be used for the Virginia Conservation Assistance Program (VCAP) and for the Virginia Trees for Clean Water program, no less than 25 percent shall be used for projects in low-income geographic areas as defined by §10.1-603.24.

D. The appropriations made in paragraph B. meet the mandatory deposit requirements associated with the FY 2021 excess general fund revenue collections and discretionary year-end general fund balances.

E. It is the intent of the General Assembly, that notwithstanding the provisions of § 10.1-2132, Code of Virginia, the department is authorized to make Water Quality Improvement Grants to state agencies.

F.1 Out of the appropriation in this Item, \$10,000,000 the first year and \$10,000,000 the



ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>second year from the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, is hereby appropriated. The funds shall be dispersed by the department pursuant to § 10.1-2128.1, Code of Virginia.</p>				
<p>2. The source of an amount estimated at \$10,000,000 the first year and \$10,000,000 the second year to support the nongeneral fund appropriation to the Virginia Natural Resources Commitment Fund shall be the recordation tax fee established in Part 3 of this act.</p>				
<p>3. Out of this amount, a total of thirteen percent, or \$1,300,000, whichever is greater, shall be appropriated to Virginia Soil and Water Conservation Districts for technical assistance to farmers implementing agricultural best management practices, and \$8,700,000 for Agricultural Best Management Practices Cost-Share Assistance. Of the amount deposited for Cost-Share Assistance, seventy percent shall be used for matching grants for agricultural best management practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, and thirty percent shall be used for matching grants for agricultural best management practices on lands in the Commonwealth exclusively outside of the Chesapeake Bay watershed.</p>				
<p>G.1. Out of the appropriation in this Item, \$2,583,531 in the first year and \$2,583,531 in the second year from the funds designated in Item 3-1.01.C. of this act are hereby appropriated to the Virginia Water Quality Improvement Fund and designated for deposit to the reserve fund established pursuant to paragraph B of Item 373. It is the intent of the General Assembly that all interest earnings of the Water Quality Improvement Fund shall be spent only upon appropriation by the General Assembly, after the recommendation of the Secretary of Natural and Historic Resources, pursuant to § 10.1-2129, Code of Virginia.</p>				
<p>2. Notwithstanding the provisions of §§ 10.1-2128, 10.1-2129 and 10.1-2128.1, Code of Virginia, it is the intent of the General Assembly that the department use interest earnings from the Water Quality Improvement Fund and the Virginia Natural Resources Commitment Fund to support two positions to administer grants from the fund.</p>				
<p>H. Out of the appropriation in this Item, \$15,000 the first year and \$15,000 the second year from the general fund is provided to support the Rappahannock River Basin Commission. The funds shall be matched by the participating localities and planning district commissions.</p>				
<p>I. Notwithstanding § 10.1-552, Code of Virginia, Soil and Water Conservation Districts are hereby authorized to recover a portion of the direct costs of services rendered to landowners within the district and to recover a portion of the cost for use of district-owned conservation equipment. Such recoveries shall not exceed the amounts expended by a district on these services and equipment.</p>				
<p>J. Unless specified otherwise in this Item, it is the intent of the General Assembly that balances in Soil and Water Conservation be used first, and then balances from Agricultural Best Management Practices Cost Share Assistance be used for the Commonwealth's statewide match for participation in the federal Conservation Reserve Enhancement Program (CREP).</p>				
<p>K. The Water Quality Agreement Program shall be continued in order to protect the waters of the Commonwealth through voluntary cooperation with lawn care operators across the state. The department shall encourage lawn care operators to voluntarily establish nutrient management plans and annual reporting of fertilizer application. If appropriate, then the program may be transferred to another state agency.</p>				
<p>L.1. Out of the appropriation in this Item, \$250,000 the first year and \$250,000 the second year from the general fund is provided to the department to make available competitive grants to provide Chesapeake Bay meaningful watershed educational experiences. The department may enter into two-year contracts contingent on funding being available in the second year of the biennium.</p>				
<p>2. Out of the appropriation in this item, \$350,000 the first year and \$350,000 the second year from the general fund is provided to the Department to support two positions in the Office of Environmental Education to provide increased opportunities for education</p>				

ITEM 374.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>programs on environmental issues across the Commonwealth, pursuant to § 10.1-104, Code of Virginia. The Office of Environmental Education shall develop and implement environmental education programs and the Virginia Strategic Plan for environmental literacy in collaboration with the Department of Education, the Science Museum of Virginia STEM program, and other relevant stakeholders.</p> <p>M. Out of the appropriation in this Item, \$200,000 the first year and \$200,000 the second year from the general fund is provided to the department for technical assistance to support Shoreline Erosion Advisory Services as established in § 10.1-702, Code of Virginia.</p> <p>N. Out of the appropriation in this Item, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided to the Natural Heritage Program in support of active preserve management activities across Virginia's 66 Natural Area Preserves as identified by the Board of Conservation and Recreation.</p> <p>O. Notwithstanding § 54.1, Chapter 4, the U.S. Department of Agriculture's Natural Resources Conservation Service and Department of Conservation and Recreation Central Office staff may provide engineering services to the Department of Conservation and Recreation and the local Soil and Water Conservation Districts for design and construction of agriculture best management practices.</p> <p>P.1. Out of the amounts appropriated for Dam Inventory, Evaluation, and Classification and Flood Plain Management, \$10,732,147 the first year and \$732,147 the second year from the general fund shall be deposited to the Dam Safety, Flood Prevention and Protection Assistance Fund, established pursuant § 10.1-603.17, Code of Virginia.</p> <p>2. Unobligated balances in the Dam Safety, Flood Prevention and Protection Assistance Fund may be utilized in an amount not to exceed \$60,000 to perform activities necessary to update the flood protection plan for the Commonwealth and to make the plan accessible online. Once these activities are complete, the department will maintain and update the plan as needed within existing resources.</p> <p>Q. Out of the appropriation in this Item, \$400,000 the first year and \$400,000 the second year from the general fund is provided to support lynchbya remediation efforts at Lake Gaston.</p> <p>R. Out of the appropriation in this item, \$25,000,000 the first year from the unobligated balances of the Community Flood Preparedness Fund (09037) is provided for deposit in the Resilient Virginia Revolving Loan Fund.</p>				
375.	Leisure and Recreation Services (50400).....		\$108,532,010	\$92,230,426
	Preservation of Open Space Lands (50401).....	\$25,785,246		\$25,784,997
	Design and Construction of Outdoor Recreational Facilities (50403).....	\$1,065,607		\$1,065,607
	State Park Management and Operations (50404).....	\$59,816,783		\$59,581,948
	Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406).....	\$21,864,374		\$5,797,874
	Fund Sources: General.....	\$67,026,110		\$51,377,632
	Special.....	\$33,785,940		\$33,785,940
	Dedicated Special Revenue.....	\$2,470,230		\$1,817,124
	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 \$16,000,000 the first year and \$16,000,000 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.

ITEM 375.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
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. Not later than June 30, 2023, the Virginia Outdoors Foundation shall convey pursuant to § 2.2-1150, Code of Virginia, approximately 1,034.7 acres more or less in Highlands County, Virginia, Tax Parcel #68A17 and #68A18A located at 524 Hayfileds Lane in McDowell, Virginia to the Department of Conservation and Recreation including, but not limited to, all existing deeds, easements and real property improvements and excepting that certain parcel located on the west side of Bullpasture River Road at 7612 Bullpasture River Road, McDowell, VA 24458 consisting of approximately 40 acres, more or less, and including the right of way access along the existing driveway, which shall be reserved to the Virginia Outdoors Foundation. The Department of Conservation and Recreation is authorized to proceed with the State Park master planning process pursuant to § 10.1-200.1, Code of Virginia, for the development and operation of the associated parcels and existing real property as a Virginia State Park.				
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. 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.				
F. 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-50 and C-51 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-50 and C-51 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.				

ITEM 375.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
G.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.				
H. 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.				
I. 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 456 A. for recreational access which shall be used to fabricate and install Supplemental Guide Signs for Virginia State Parks.				
J. 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.				
K. The Department of Conservation and Recreation, in consultation with the Dahlgren Railroad Heritage Trail Association, shall review the properties of the Dahlgren Railroad Heritage Trail, consisting of approximately 15.7 miles in King George County, Virginia, and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2022, on the Trail's suitability as a recreational area for incorporation into Caledon State Park, to preserve the historical trail and enhance Caledon State Park facilities, the Trail, and recreational opportunities for the citizens of King George County and visitors to Caledon State Park. In its review, DCR shall consider (i) any one-time and/or ongoing expenses associated with the Trail's acquisition and incorporation into Caledon State Park; ii) management of the area or park by a combination of public and private entities; (iii) potential user activities at the area or park including but not limited to camping, hiking, bird watching, equestrian activities, and biking; and (iv) 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.				
L. Out of the amounts in this item, \$466,500 the first year from the general fund is provided to assist the Mendota Trail Conservancy in the restoration of abandoned railroad trestles for conversion to use as a walking and cycling trail.				
M. Included in the amounts for this item is \$9,000,000 the first year from the general fund to be provided to the City of Chesapeake to support the expansion of the Dr. Clarence V. Cuffee Community Center.				
N. Included in the amounts for this item, \$167,776 the first year and \$167,776 the second year from the general fund to hire chief ranger and park ranger positions at Powhatan State Park.				
O. Included in the amounts for this item is \$816,253 the first year and \$613,253 the second year from the general fund for startup and operational costs at Sweet Run State Park.				
P. Included in the amounts for this item is \$6,600,000 the first year from the general fund to the City of Virginia Beach for improvements to boat ramps owned and operated by the City.				
Q. Included in the amount for this item is \$500,000 the first year from the general fund to address maintenance needs at First Landing State Park.				

ITEM 375.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
R. Out of the amounts in this item, \$260,000 the first year from the general fund to complete design and construction of an Americans with Disabilities Act compliant walking path and fishing area along Big Cedar Creek in the Pinnacle Natural Area Preserve.				
376.	Administrative and Support Services (59900).....		\$11,098,857	\$11,098,857
	General Management and Direction (59901).....	\$11,098,857	\$11,098,857	
	Fund Sources: General.....	\$10,883,857	\$10,883,857	
	Special.....	\$215,000	\$215,000	
Authority: Title 2.2, Chapters 37, 40, 41, 43; and Title 10.1, Chapter 1, Code of Virginia.				
Total for Department of Conservation and Recreation.....			<b>\$603,591,139</b>	<b>\$238,876,555</b>
	General Fund Positions.....	474.50	480.50	
	Nongeneral Fund Positions.....	49.50	40.50	
	Position Level.....	524.00	521.00	
	Fund Sources: General.....	\$431,138,368	\$92,076,890	
	Special.....	\$35,041,827	\$35,041,827	
	Dedicated Special Revenue.....	\$124,721,432	\$99,068,326	
	Federal Trust.....	\$12,689,512	\$12,689,512	

**§ 1-105. DEPARTMENT OF ENVIRONMENTAL QUALITY (440)**

377.	Land Protection (50900).....		\$30,278,763	\$30,278,763
	Land Protection Permitting (50925).....	\$4,900,778	\$4,900,778	
	Land Protection Compliance and Enforcement (50926).....	\$22,537,962	\$22,537,962	
	Land Protection Outreach (50927).....	\$1,712,231	\$1,712,231	
	Land Protection Planning and Policy (50928).....	\$1,127,792	\$1,127,792	
	Fund Sources: General.....	\$2,898,164	\$2,898,164	
	Special.....	\$1,710,865	\$1,710,865	
	Trust and Agency.....	\$11,770,389	\$11,770,389	
	Dedicated Special Revenue.....	\$7,556,402	\$7,556,402	
	Federal Trust.....	\$6,342,943	\$6,342,943	

Authority: Title 10.1, Chapters 11.1, 11.2, 12.1, 14, and 25; Title 44, Chapter 3.5, Code of Virginia.

A. It is the intent of the General Assembly that balances in the Virginia Environmental Emergency Response Fund be used to meet match requirements for U.S. Environmental Protection Agency Superfund State Support Contracts.

B. Notwithstanding the provisions of § 10.1-1422.3, Code of Virginia, \$1,807,575 in the first year and \$1,807,575 in the second year from the Waste Tire Trust Fund, and \$250,000 in the first year and \$250,000 in the second year from the Hazardous Waste Management Permit Fund within the Department of Environmental Quality shall be used for the costs associated with the Department's land protection and water programs. Such funds may be used for the purposes set forth in § 10.1-1422.3, Code of Virginia, at the Director's discretion and only as available after funding other land protection and water programs.

C. Notwithstanding the provisions of § 10.1-1424.3, Code of Virginia, the phased prohibition on the use of polystyrene containers shall be delayed until July 1, 2028 and July 1, 2030 respectively. The Department of Environmental Quality shall conduct a recycling economic and environmental impact assessment in accordance with the Administrative Process Act including public participation and comment. The assessment shall consider the total lifecycle of human and environmental benefits and impacts of recycling pursuant to generally accepted frameworks and standards. The Department shall report its findings to the Governor and Chairs of the House and Senate Agriculture,

ITEM 377.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Conservation and Natural Resources Committees by October 1, 2023.				
378.	Water Protection (51200).....		\$56,271,232	\$55,951,232
	Water Protection Permitting (51225).....	\$11,963,629		
	Water Protection Compliance and Enforcement (51226).....	\$9,240,903		
	Water Protection Outreach (51227).....	\$2,619,252		
	Water Protection Planning and Policy (51228).....	\$8,532,313		
	Water Protection Monitoring and Assessment (51229).....	\$16,083,220		
	Water Protection Stormwater Management (51230)....	\$7,831,915		
	Fund Sources: General.....	\$33,115,902		
	Special.....	\$1,947,751		
	Trust and Agency.....	\$25,500		
	Dedicated Special Revenue.....	\$12,474,003		
	Federal Trust.....	\$8,708,076		

Authority: Title 10.1, Chapter 11.1; and Title 62.1, Chapters 2, 3.1, 3.2, 3.6, 5, 6, 20, 22, 24, and 25, Code of Virginia.

A. Out of this appropriation, \$51,500 the first year and \$51,500 the second year from the general fund is designated for annual membership dues for the Ohio River Valley Water Sanitation Commission.

B.1. The permit fee regulations adopted by the State Water Control Board pursuant to paragraphs B.1. and B.2. of § 62.1-44.15:6, Code of Virginia, shall be set at an amount representing not more than 50 percent of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System permits and Virginia Pollution Abatement permits.

2. The regulations adopted by the State Water Control Board to initially implement the provisions of this Item shall be exempt from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2010. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia.

C. Out of the appropriation for this Item, \$151,500 the first year and \$151,500 the second year from the general fund is designated for the annual membership dues for the Interstate Commission on the Potomac River Basin.

D.1. Notwithstanding § 62.1-44.15:56, Code of Virginia, public institutions of higher education, including community colleges, colleges, and universities, shall be subject to project review and compliance for state erosion and sediment control requirements by the local program authority of the locality within which the land disturbing activity is located, unless such institution submits annual specifications to the Department of Environmental Quality, in accordance with § 62.1-44.15:56 A (i), Code of Virginia.

2. The State Water Control Board is authorized to amend the Erosion and Sediment Control Regulations (9 VAC 25-840 et seq.) to conform such regulations with this project review requirement and to clarify the process. These amendments shall be exempt from Article 2 (§2.2-4006 et seq.) of the Administrative Process Act.

E. Beginning October 1, 2015, there shall be a \$3.75 fee imposed on each dry ton of exceptional quality biosolids cake sewage sludge that is land applied pursuant to § 62.1-44.19:3P, Code of Virginia, until such fee is altered, amended or rescinded by the State Water Control Board.

F. The Department shall work in conjunction with the Virginia Economic Development Partnership to facilitate the development of long-term offsetting methods within the Virginia Nutrient Credit Exchange as set out in Item 125 of this act.

G. Notwithstanding any other provision of law, any Virginia Stormwater Management Program authority is authorized to charge a voluntary fee of \$30,000 for review of sites or

ITEM 378.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres for an expedited stormwater management program plan review. Any individual or firm electing to pay the voluntary fee shall be guaranteed the total government review time shall not exceed 45 days excluding any applicant's time in responding to questions. Any amounts paid to DEQ above the \$9,600 fee shall be used by DEQ to increase the staffing level of the reviewers of these applications.</p> <p>H. Out of the amounts in this Item, \$2,736,330 the first year and \$2,736,330 the second year from the general fund is included for the purchase of laboratory and field equipment.</p> <p>I. Out of the amounts appropriated for this Item, \$231,000 the first year and \$231,000 the second year is provided for regional water resource planning activities.</p> <p>J.1. Out of the amounts appropriated for this Item, \$1,100,000 the first year and \$1,100,000 the second year from the general fund is to be deposited in the Virginia Stormwater Management Fund.</p> <p>2. Notwithstanding § 62.1-44.15:28, as it is currently effective and as it shall become effective, Code of Virginia, the permit fee regulations adopted by the State Water Control Board pursuant to § 62.1-44.15:28, as it is currently effective and as it shall become effective, Code of Virginia, for the Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Construction Activities and municipal separate storm sewer system permits shall be set at an amount representing no less than 60 percent, not to exceed 62 percent, of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Construction Activities and municipal separate storm sewer system permits. To the extent practicable, the Board shall solicit input from affected stakeholders when establishing the new fee structure.</p> <p>3. Notwithstanding § 62.1-44.19:20, Code of Virginia, the application fee schedule adopted by the State Water Control Board pursuant to § 62.1-44.19:20, Code of Virginia, shall be set at an amount representing no less than 60 percent, not to exceed 62 percent, of the direct costs for the administration, compliance and enforcement of the nutrient credit certification program. To the extent practicable, the Board shall solicit input from affected stakeholders when establishing the new fee structure.</p> <p>K. The Director of the Department of Environmental Quality shall convene a working group for the purpose of developing an annual or project-based fee schedule for the review of erosion and sediment control plans related to solar energy project applications. The working group shall include representatives of (i) private sector companies that own or operate solar energy facilities, (ii) local governments that permit solar facilities, and (iii) other stakeholders determined by the Department to be necessary to the development of the fee schedule.</p> <p>L. Out of the amounts in this item, \$320,000 the first year from the general fund is provided for the Virginia Department of Environmental Quality to conduct ambient surface water and groundwater surveillance for perfluoroalkyl and polyfluoroalkyl substances (PFAS), including perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), perfluorobutyrate (PFBA), perfluoroheptanoic acid (PFHpA), perfluorohexane sulfonate (PFHxS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide-dimer acid (HFPO-DA), perfluorohexanoic acid (PFHxA), perfluoropentanoic acid (PFPeA), and perfluorobutane sulfonic acid (PFBS).</p>				
379.	Air Protection (51300).....		\$28,368,536	\$28,368,536
	Air Protection Permitting (51325).....	\$6,150,738		\$6,150,738
	Air Protection Compliance and Enforcement (51326).....	\$6,428,603		\$6,428,603
	Air Protection Outreach (51327).....	\$1,180,235		\$1,180,235
	Air Protection Planning and Policy (51328).....	\$9,249,605		\$9,249,605
	Air Protection Monitoring and Assessment (51329).....	\$5,359,355		\$5,359,355
	Fund Sources: General.....	\$3,170,320		\$3,170,320
	Special.....	\$5,543,481		\$5,543,481

ITEM 379.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
Enterprise.....	\$10,214,815	\$10,214,815		
Dedicated Special Revenue.....	\$5,324,949	\$5,324,949		
Federal Trust.....	\$4,114,971	\$4,114,971		

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, 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.

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.

D. The State Air Pollution Control Board shall make modifications to its final regulation prohibiting the use of certain hydrofluorocarbons such that these regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by aviation and aerospace businesses located in Virginia to produce products for sale and distribution.

380.	Environmental Financial Assistance (51500).....			\$71,439,431	\$70,829,391
	Financial Assistance for Environmental Resources Management (51502).....	\$10,425,868	\$8,425,868		
	Virginia Water Facilities Revolving Fund Loans and Grants (51503).....	\$31,714,797	\$33,104,757		
	Financial Assistance for Coastal Resources Management (51507).....	\$1,924,500	\$1,924,500		
	Litter Control and Recycling Grants (51509).....	\$2,039,509	\$2,039,509		
	Petroleum Tank Reimbursement (51511).....	\$25,334,757	\$25,334,757		



ITEM 380.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
Fund Sources: General.....	\$12,479,534	\$11,869,494		
Trust and Agency.....	\$25,504,646	\$25,504,646		
Dedicated Special Revenue.....	\$26,194,606	\$26,194,606		
Federal Trust.....	\$7,260,645	\$7,260,645		

Authority: Title 10.1, Chapters 11.1, 14, 21.1, and 25 and Title 62.1, Chapters 3.1, 22, 23.2, and 24, Code of Virginia.

A. To the extent available, the authorization included in Chapter 781, 2009 Acts of Assembly, Item 368, paragraph E, is hereby continued for the Virginia Public Building Authority to issue revenue bonds in order to finance Virginia Water Quality Improvement Grants, pursuant to Chapter 851, 2007 Acts of Assembly.

B. To the extent available, the authorization included in Chapter 806, 2013 Acts of Assembly, Item C-39.40, is hereby continued for the Virginia Public Building Authority to issue revenue bonds in order to finance the Stormwater Local Assistance Fund, the Combined Sewer Overflow Matching Fund, Nutrient Removal Grants, and the Hopewell Regional Wastewater Treatment Authority. The administration of several of the water quality programs, including the Stormwater Local Assistance Fund, transferred to the Department of Environmental Quality per Chapter 756, 2013 Acts of Assembly.

C.1. The State Comptroller is authorized to continue the Stormwater Local Assistance Fund as established in Item 360, Chapter 806, 2013 Acts of Assembly. The fund shall consist of bond proceeds from bonds authorized by the General Assembly and issued pursuant to Item C-39.40 in Chapter 806, 2013 Acts of Assembly, Item C-43 of Chapter 665, 2015 Acts of Assembly, Chapter 759, 2016 Acts of Assembly, Item C-48.10 in Chapter 854, 2019 Acts of Assembly, Item C-70, Chapter 1289, 2020 Acts of Assembly, and Item C-80 of this Act; sums appropriated to it by the General Assembly; and other grants, gifts, and moneys as may be made available to it from any other source, public or private. Interest earned on the moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.

2. The purpose of the Fund is to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads. Moneys in the Fund shall be used to meet: i) obligations related to the Chesapeake Bay total maximum daily load (TMDL) requirements; ii) requirements for local impaired stream TMDLs; iii) water quality requirements of the Chesapeake Bay Watershed Implementation Plan (WIP); and iv) water quality requirements related to the permitting of small municipal stormwater sewer systems. The grants shall be used only for the acquisition of certified nonpoint nutrient credits and capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration.

D. The grants shall be used only for the acquisition of certified nonpoint nutrient credits and capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the State Water Control Board under the authority of the Department of Environmental Quality.

E. The Department of Environmental Quality shall use an amount not to exceed \$3,000,000 from the Water Quality Improvement Fund to conduct the James River chlorophyll study pursuant to the approved Virginia Chesapeake Bay Total Maximum Daily Load, Phase I Watershed Implementation Plan. This amount shall be used solely for contractual support for water quality monitoring and analysis and computer modeling. No portion of this funding may be used for administrative costs of the department.

F. Out of such funds available in this Item, the Department shall provide funding to the Virginia Geographic Information Network in an amount necessary to implement statewide

ITEM 380.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>digital orthography to improve land coverage data necessary to assist localities in planning and implementing stormwater management programs. As part of this authorization, the Department shall also include data to update prior LIDAR surveys of elevations along coastal areas to support activities related to management of recurrent coastal flooding.</p> <p>G. Out of the amounts appropriated for Financial Assistance for Environmental Resources Management, \$3,292,479 the first year and \$3,292,479 the second year from federal funds is provided to implement stormwater management activities.</p> <p>H.1. Each locality establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, shall provide to the Auditor of Public Accounts by October 1 of each year, in a format specified by the Auditor, a report as to each program funded by these fees and the expected nutrient and sediment reductions for each of these programs. The Department of Environmental Quality shall, at the request of the Auditor of Public Accounts, offer assistance to the Auditor's office in the review of the submitted reports.</p> <p>2. The Auditor of Public Accounts shall include in the Specifications for Audits of Counties, Cities, and Towns regulations for all local governments establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, a requirement to ensure that each impacted local government is in compliance with the provisions of § 15.2-2114 A., Code of Virginia. Any such adjustment to the Specifications for Audits of Counties, Cities, and Towns regulations shall be exempt from the Administrative Process Act and shall be required for all audits completed after July 1, 2014.</p> <p>I. Out of the amounts in this Item, \$8,125,920 the first year and \$9,515,880 the second year from the general fund is provided for the Department to meet matching requirements corresponding to anticipated federal funding available through the Virginia Clean Water Revolving Loan Fund as a result of the Infrastructure Investment and Jobs Act.</p> <p>J. Grantee owners of Enhanced Nutrient Removal Certainty (ENRC) Program and other Water Quality Improvement Fund projects subject to a grant agreement with the Department shall submit a forecast of projected quarterly grant disbursements covering each quarter of the current fiscal year and the next fiscal year thereafter. The Department shall compile the grantee-supplied forecasts of projected quarterly grant disbursements and compare expected disbursements to available appropriations to provide advance notice of any potential shortfall. The Department shall submit each forecast to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee on a quarterly basis.</p> <p>K.1. The Department shall provide technical assistance to the City of Bristol in resolving ongoing health, environmental, and quality of life issues with its landfill and to facilitate a long-term plan for the operational status of the landfill following the completion of mitigation efforts.</p> <p>2. Out of the amounts in this item, \$2,000,000 the first year from the general fund is provided for the City of Bristol to begin resolving ongoing environmental issues at the Bristol Landfill.</p>				
381.	Administrative and Support Services (59900).....		\$31,253,906	\$31,253,906
	General Management and Direction (59901).....	\$22,285,207		
	Information Technology Services (59902).....	\$8,968,699		
	Fund Sources: General.....	\$16,162,122		
	Special.....	\$6,238,687		
	Enterprise.....	\$3,325,278		
	Trust and Agency.....	\$1,239,744		
	Dedicated Special Revenue.....	\$834,050		
	Federal Trust.....	\$3,454,025		
<p>Authority: Title 10.1, Chapters 11.1, 13 and 14 and Title 62.1, Chapter 3.1, Code of Virginia.</p> <p>A. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the department is authorized to expend funds from the balances in the Virginia Environmental Emergency Response Fund for costs associated with its waste management, air, and water programs.</p>				

ITEM 381.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
B. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the department is authorized to expend up to \$600,000 the first year and \$600,000 the second year from the balances in the Virginia Environmental Emergency Response Fund to further develop and implement eGovernment services.				
Total for Department of Environmental Quality.....			<b>\$217,611,868</b>	<b>\$216,681,828</b>
General Fund Positions.....	416.50	416.50		
Nongeneral Fund Positions.....	564.50	564.50		
Position Level.....	981.00	981.00		
Fund Sources: General.....	\$67,826,042	\$66,896,002		
Special.....	\$15,440,784	\$15,440,784		
Enterprise.....	\$13,540,093	\$13,540,093		
Trust and Agency.....	\$38,540,279	\$38,540,279		
Dedicated Special Revenue.....	\$52,384,010	\$52,384,010		
Federal Trust.....	\$29,880,660	\$29,880,660		

**§ 1-106. DEPARTMENT OF WILDLIFE RESOURCES (403)**

382.	Wildlife and Freshwater Fisheries Management (51100).....			\$50,330,696	\$50,330,696
	Wildlife Information and Education (51102).....	\$4,804,193	\$4,804,193		
	Enforcement of Recreational Hunting and Fishing Laws and Regulations (51103).....	\$16,095,890	\$16,095,890		
	Wildlife Management and Habitat Improvement (51106).....	\$29,430,613	\$29,430,613		
	Fund Sources: General.....	\$200,000	\$200,000		
	Dedicated Special Revenue.....	\$37,595,847	\$37,595,847		
	Federal Trust.....	\$12,534,849	\$12,534,849		

Authority: Title 29.1, Chapters 1 through 6, Code of Virginia.

A. Out of the amounts appropriated for this Item, \$20,000 the first year and \$20,000 the second year from nongeneral funds is provided for the Smith Mountain Lake Water Quality Monitoring Program.

B. Out of the amounts appropriated in this item, \$10,000 the first year and \$10,000 the second year from nongeneral funds is provided for the Back Bay Submerged Aquatic Vegetation Restoration Project.

C. Out of the amounts appropriated in this item, \$200,000 in the first year and \$200,000 in the second year from the general fund is provided to the department to support two additional staff biologists to develop and administer a statewide plan to protect and restore native freshwater mussel species. The department is authorized to enter into cooperative agreements with qualified nonprofit and private entities to assist in mussel restoration planning and implementation.

383.	Boating Safety and Regulation (62500).....			\$8,677,834	\$8,677,834
	Boat Registration and Titling (62501).....	\$2,580,290	\$2,580,290		
	Boating Safety Information and Education (62502).....	\$662,359	\$662,359		
	Enforcement of Boating Safety Laws and Regulations (62503).....	\$5,435,185	\$5,435,185		
	Fund Sources: Dedicated Special Revenue.....	\$6,558,055	\$6,558,055		
	Federal Trust.....	\$2,119,779	\$2,119,779		

Authority: Title 29.1, Chapters 7 and 8, Code of Virginia.

Notwithstanding § 29.1-113 of the Code of Virginia, access fees at boat ramps owned or managed by the Department of Wildlife Resources (DWR) shall not be assessed prior to July 1, 2022, pending a study by DWR on the costs and benefits of such fees and the impact on recreational users in Virginia. As part of this study, the Department shall

ITEM 383.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>convene a stakeholder group for the purpose of developing and providing recommendations on access permit fees, various alternatives, and other issues related to the use and maintenance of Department-owned boat ramp facilities. The stakeholder work group shall be composed of representatives of registered boat owners, paddlecraft liveries, outdoor outfitters, environmental education providers, and other non-registered vessel recreational users of such boat ramps, or other affected parties the Department deems necessary. The work group shall consider mechanisms that will decrease the burden on outfitters, customers, education providers, and non-profit organizations; the usage of access fees to maintain or improve existing boat ramps and to add new boat ramps, paddlecraft launches, and public access points on Department-owned property; and alternative funding mechanisms and strategies that can increase access by economically disadvantaged users.</p>				
384.	Administrative and Support Services (59900).....		\$11,975,116	\$11,975,116
	General Management and Direction (59901).....	\$7,454,229		
	Information Technology Services (59902).....	\$4,520,887		
	Fund Sources: Dedicated Special Revenue.....	\$10,472,181		
	Federal Trust.....	\$1,502,935		
<p>Authority: Title 29.1, Chapter 1, Code of Virginia.</p> <p>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.</p> <p>B. 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.</p> <p>C.1. Subject to review and approval by the Secretary of Natural and Historic Resources, the Director of the Department of Wildlife Resources 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.</p> <p>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 Wildlife Resources to a location acceptable to the Director that is as close as possible to the original nesting location while allowing construction activities to continue.</p> <p>3. Within 30 days of the adoption by the Board of Wildlife Resources 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.</p> <p>D. Any references to the Department of Game and Inland Fisheries within this Act shall convey to the Department of Wildlife Resources.</p>				
385.	<p>A. Pursuant to §§ 29.1-101, 58.1-638, and 58.1-1410, Code of Virginia, deposits to the Game Protection Fund include an estimated \$18,800,000 the first year and \$18,800,000 the second year from revenue originating from the general fund.</p> <p>B. Pursuant to § 29.1-101.01, Code of Virginia, the Department of Planning and Budget shall transfer such funds as designated by the Board of Wildlife Resources from the Game Protection Fund (§ 29.1-101) to the Capital Improvement Fund (§ 29.1-101.01) up to an amount equal to 50 percent or less of the revenue deposited to the Game Protection Fund by §</p>			

ITEM 385.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
3-1.01, subparagraph M, of this act.				
C. Out of the amounts transferred pursuant to § 3-1.01, subparagraph K, of this act, \$881,753 the first year and \$881,753 the second year from the Game Protection Fund shall be used for the enforcement of boating laws, boating safety education, and for improving boating access.				
Total for Department of Wildlife Resources.....			<b>\$70,983,646</b>	<b>\$70,983,646</b>
General Fund Positions.....	2.00	2.00		
Nongeneral Fund Positions.....	496.00	496.00		
Position Level.....	498.00	498.00		
Fund Sources: General.....	\$200,000	\$200,000		
Dedicated Special Revenue.....	\$54,626,083	\$54,626,083		
Federal Trust.....	\$16,157,563	\$16,157,563		

**§ 1-107. DEPARTMENT OF HISTORIC RESOURCES (423)**

386.	Historic and Commemorative Attraction Management (50200).....			\$38,894,888	\$13,172,048
	Financial Assistance for Historic Preservation (50204).....	\$27,476,940	\$6,399,100		
	Historic Resource Management (50205).....	\$11,417,948	\$6,772,948		
	Fund Sources: General.....	\$35,508,009	\$9,785,169		
	Special.....	\$1,164,349	\$1,164,349		
	Commonwealth Transportation.....	\$210,000	\$210,000		
	Dedicated Special Revenue.....	\$97,799	\$97,799		
	Federal Trust.....	\$1,914,731	\$1,914,731		

Authority: Title 10.1, Chapters 22 and 23, Code of Virginia.

A. Consistent with the provisions of § 4-13.00 of this act, general fund appropriations for historic and commemorative attractions identified within this item or for the purposes stated in § 10.1-2211.1 or § 10.1-2211.2, Code of Virginia, shall be disbursed as described within this item and shall not be subject to any other restrictions or statutory requirements unless specified within this item. Any other general fund appropriations for historic and commemorative attractions shall be matched by local or private sources, either in cash or in-kind, in amounts at least equal to the appropriation and which are deemed to be acceptable to the department.

B. In emergency situations which shall be defined as those posing a threat to life, safety or property, § 10.1-2213, Code of Virginia, shall not apply.

C. Pursuant to the provisions of § 10.1-2211.1, Code of Virginia, as amended by Chapter 639, 2018 Session of the General Assembly, out of the amounts provided for Financial Preservation shall be paid \$23,100 the first year and \$23,100 the second year from the general fund grants to the Virginia Society of the Sons of the American Revolution (VASSAR) and the Revolutionary War memorial associations caring for cemeteries as set forth in subsection B of § 10.1-2211.1, Code of Virginia. Such sums shall be expended by the associations for the routine maintenance of their respective Revolutionary War cemeteries and graves and for the graves of Revolutionary War soldiers and sailors not otherwise cared for in other cemeteries, and in erecting and caring for markers, memorials, and monuments to the memory of such soldiers, sailors, and persons rendering service to the Patriot cause in the Revolutionary War.

D. Included in this appropriation is \$210,000 the first year and \$210,000 the second year in nongeneral funds from the Highway Maintenance and Operating Fund to support the Department of Historic Resources' required reviews of transportation projects.

E. The Department of Historic Resources is authorized to accept a devise of certain real property under the will of Elizabeth Rust Williams known as Clermont Farm located on Route 7 east of the town of Berryville in Clarke County. If, after due consideration of

ITEM 386.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>options, the department determines that the property should be sold or leased to a different public or private entity, and notwithstanding the provisions of § 2.2-1156, Code of Virginia, then the department is further authorized to sell or lease such property, provided such sale or lease is not in conflict with the terms of the will. The proceeds of any such sale or lease shall be deposited to the Historic Resources Fund established under § 10.1-2202.1, Code of Virginia.</p>				
<p>F. The Department of Historic Resources shall follow and provide input on federal legislation designed to establish a new national system of recognizing and funding Presidential Libraries for those entities that are not included in the 1955 Presidential Library Act.</p>				
<p>G.1. Included in this appropriation is \$4,500,000 the first year and \$5,250,000 the second year from the general fund to be deposited into the Virginia Battlefield Preservation Fund for grants to be made in accordance with § 10.1-2202.4, Code of Virginia. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.</p>				
<p>2. From the amounts in this item, \$1,500,000 in the first year and \$1,500,000 the second year shall be granted to the battlefield preservation organizations donating property at the proposed Culpeper Battlefields State Park in order that they may expeditiously acquire up to 800 additional acres at the site and donate this acreage to the Department of Conservation and Recreation. Such grants shall be exempt from the matching fund and easement recordation requirements of § 10.1-2202.4, Code of Virginia.</p>				
<p>3. From the amounts in this item, \$2,500,000 the first year and \$2,250,000 the second year shall be granted to the battlefield organization that manages the Shenandoah Valley Battlefields National Historic District in order that they may effectively promote heritage tourism, increase public access to preserved lands, and improve the visitor experience at already preserved battlefield sites throughout the Shenandoah Valley. Such improvements when completed shall result in the development of seven new battlefield parks across four counties. Improvements shall include highway signage, parking facilities, trailheads, restroom facilities, trails, interpretive signage, environmental protections, fencing, the completion of the Shenandoah Valley Civil War Museum, and the creation of the New Market History and Education Center. Such grants shall be exempt from the matching fund and easement recordation requirements of § 10.1-2202.4, Code of Virginia.</p>				
<p>H. The Department of Historic Resources is authorized to require applicants for tax credits for historic rehabilitation projects under § 58.1-339.2, Code of Virginia, to provide an audit by a certified public accountant licensed in Virginia, in accordance with guidelines developed by the department in consultation with the Auditor of Public Accounts. The department is also authorized to contract with tax, financial, and other professionals to assist the department with the oversight of historic rehabilitation projects for which tax credits are anticipated.</p>				
<p>I.1. Included in this Item is \$250,000 the first year and \$250,000 the second year from the general fund to support the preservation and care of historical African American graves and cemeteries.</p>				
<p>2. Pursuant to § 10.1-2211.2., Code of Virginia, \$34,875 the first year and \$34,875 the second year from the general fund is provided to support the preservation and care of historical African American graves at the East End Cemetery in Henrico County, Virginia and the Evergreen Cemetery in Richmond, Virginia.</p>				
<p>3. Pursuant to § 10.1-2211.2., Code of Virginia, \$960 the first year and \$960 the second year from the general fund is provided to support the preservation and care of historical African American graves at the Daughters of Zion Cemetery in Charlottesville, Virginia.</p>				
<p>4. Pursuant to § 10.1-2211.2, Code of Virginia, \$1,330 the first year and \$1,330 the second year from the general fund is provided to support the preservation and care of historical African American graves at the Mt. Calvary Cemetery in Portsmouth, Virginia.</p>				
<p>5. Pursuant to § 10.1-2211.2, Code of Virginia, \$385 the first year and \$385 the second year from the general fund is provided to support the preservation and care of historical African American graves at the African-American Burial Ground for the Enslaved at Belmont and Mt. Zion Old Baptist Church Cemetery in Loudoun County, Virginia.</p>				

ITEM 386.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
6. Pursuant to § 10.1-2211.2, Code of Virginia, \$385 the first year and \$385 the second year from the general fund is provided to support the preservation and care of historical African American graves at the New River and West Dublin Cemeteries in Pulaski County, Virginia.				
7. Pursuant to §10.1-2211.2, Code of Virginia, \$2,340 the first year and \$2,340 the second year from the general fund is provided to support the preservation and care of historical African American graves at Oak Lawn Cemetery in Suffolk, Virginia.				
8. Pursuant to § 10.1-2211.2, Code of Virginia, \$3,855 the first year and \$3,855 the second year from the general fund is provided to support the preservation and care of historical African American graves at the following cemeteries in Hampton Virginia: 212 graves at Bassonette's Cemetery, 339 graves at Elmerton Cemetery, 14 graves at Queen Street Cemetery, 29 graves at Pleasant Shade Cemetery, 15 graves at the Tucker Family Cemetery, 125 graves at Union Street Cemetery and 37 graves at Good Samaritan Cemetery.				
9. Pursuant to § 10.1-2211.2, Code of Virginia, \$975 the first year and \$975 the second year from the general fund is provided to support the preservation and care of historical African American graves at Matthews, People's and Smith Street Cemeteries in Martinsville, Virginia.				
10. Pursuant to § 10.1-2211.2, Code of Virginia, \$9,715 the first year and \$9,715 the second year from the general fund is provided to support the preservation and care of historical African American graves at six cemeteries in Alexandria, Virginia.				
11. Pursuant to § 10.1-2211.2, Code of Virginia, \$485 the first year and \$485 the second year from the general fund is provided to support the preservation and care of historical African American graves at Wake Forest and Westview Cemeteries in Montgomery County, Virginia.				
12. Pursuant to § 10.1-2211.2, Code of Virginia, \$455 the first year and \$455 the second year from the general fund is provided to support the preservation and care of historical African American graves at Mountain View Cemetery in Radford, Virginia.				
13. Pursuant to § 10.1-2211.2, Code of Virginia, \$1,330 the first year and \$1,330 the second year from the general fund is provided to support the preservation and care of historical African American graves at Calloway, Lomax, and Mount Salvation Cemeteries in Arlington County, Virginia.				
14. Pursuant to § 10.1-2211.2, Code of Virginia, \$2,000 the first year and \$2,000 the second year from the general fund is provided to support the preservation and care of historical African American graves at Newtown Cemetery in Harrisonburg, Virginia.				
15. Pursuant to § 10.1-2211.2, Code of Virginia, \$260 the first year and \$260 the second year from the general fund is provided to support the preservation and care of historical African American graves at Cuffeytown Cemetery in Chesapeake, Virginia.				
16. Pursuant to § 10.1-2211.2, Code of Virginia, \$180 the first year and \$180 the second year from the general fund is provided to support the preservation and care of historical African American graves at Stanton Family Cemetery in Buckingham County, Virginia.				
J. The Department of Historic Resources is authorized to collect administrative fees for the provision of easement and stewardship services. Revenues generated from the easement fee schedule shall be deposited into the Preservation Easement Fund pursuant to § 10.1-2202.2., Code of Virginia.				
K. The Department of Historic Resources is authorized to enter into an agreement with one or more Virginia-based Historically Black Colleges and Universities to provide paid internships to enrolled students for data collection and outreach activities to expand Virginia's historical property catalogue to include underrepresented African American and indigenous communities. Included within the amounts in this item, \$100,000 the first year and \$100,000 the second year from the general fund is provided for the internship program.				

ITEM 386.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
L.	Consistent with the provisions of § 10.1-2214, Code of Virginia, \$159,479 the first year and \$159,479 the second year from the general fund is provided to maintain an underwater archaeology program.			
M.	Out of the amounts in this Item, \$5,000,000 the first year from the general fund shall be deposited to a special, nonreverting fund for the awarding of grants for the preservation of archaeological sites associated with Black, Indigenous, and People of Color (BIPOC).			
N.	Out of the amounts in this Item, \$500,000 the first year from the general fund is provided to the City of Alexandria for preservation of the Douglass Memorial Cemetery.			
O.	Out of the amounts in this Item, \$100,000 the first year from the general fund is provided to the City of Richmond for activities undertaken by the Elegba Folklore Society.			
P.	Out of the amounts in this Item, \$1,000,000 the first year from the general fund is provided to the City of Norfolk for expansion of the Chrysler Museum's Perry Glass Studio.			
Q.	Out of the amounts in this Item, \$2,000,000 the first year from the general fund is provided to the City of Richmond for capital improvements at the Virginia Museum of History and Culture.			
R.	Out of the amounts in this Item, \$300,000 the first year from the general fund is provided to the City of Richmond for activities undertaken by Preservation Virginia.			
S.	Out of the amounts in this Item, \$1,000,000 the first year from the general fund is provided to the County of Westmoreland for expanded interpretation at Stratford Hall.			
T.	Out of the amounts in this Item, \$1,000,000 the first year from the general fund is provided to the County of Richmond for preservation and restoration activities undertaken by the Menokin Foundation.			
U.	Out of the amounts in this Item, \$1,000,000 the first year from the general fund is provided to the City of Richmond for improvements at the Valentine Museum.			
V.	Out of the amounts in this item, \$6,000,000 the first year from the general fund is provided to the County of Botetourt to support the site acquisition, design and construction of the new Fincastle Museum within the boundaries of the Town of Fincastle. As a condition of receiving this amount, the County must provide no less than \$500,000 in local matching funds.			
W.	Out of the amounts in this item, \$250,000 the first year from the general fund to the County of Nelson to support planning for the development of the Vietnam War and Foreign Conflicts Museum.			
X.	The Department of Historic Resources is authorized to enter into an agreement with one or more indigenous Virginia tribes to identify and protect their cultural properties and to provide paid internships to students for data collection and outreach activities that expand Virginia's historical property catalogue to include underrepresented indigenous properties. Included within the amounts in this item, \$50,000 in each year from the general fund is provided for paid internships for data collection.			
Y.	Out of the amounts in this item, \$4,000,000 the first year from the general fund is provided to the City of Alexandria for development of the Senator John Warner Maritime Heritage Center.			
Z.	Out of the amounts for Financial Assistance for Historic Preservation, \$250,000 the first year from the general fund shall be provided to the City of Staunton as a one-time grant to the Woodrow Wilson Presidential Library Foundation to support necessary renovations, accessibility improvements, and educational outreach at the Woodrow Wilson Presidential Library.			
AA.	Out of the amounts in this item, \$500,000 the first year from the general fund is provided to the City of Roanoke for improvements at the Virginia Museum of Transportation.			
BB.	Out of the amounts in this item, \$100,000 the first year from the general fund to the City of Hopewell to support improvements at Weston Manor.			



ITEM 386.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
CC. Out of the amounts in this item, \$25,000 the first year from the general fund is provided to the City of Virginia Beach for restoration activities at the Pleasant Ridge School.				
DD. Out of the amounts in this item, \$2,000,000 the first year from the general fund is provided to the City of Chesapeake to support Phase III projects at the Historic Village at Great Dismal Swamp.				
EE. Out of the amounts in this item, \$650,000 the first year from the general fund is provided to the City of Chesapeake for preservation activities at the Jolliff Landing Fort site.				
FF. Out of the amounts in this item, \$327,840 the first year from the general fund is provided to the County of Campbell for renovations and repairs at the Rosenwald Community Center-Campbell County Training School.				
GG. Out of the amounts in this item, \$75,000 the first year from the general fund is provided to the City of Richmond for preservation of Moore Street School.				
387. Administrative and Support Services (59900).....			\$1,029,976	\$1,029,976
General Management and Direction (59901).....	\$1,029,976	\$1,029,976		
Fund Sources: General.....	\$802,787	\$802,787		
Special.....	\$46,205	\$46,205		
Federal Trust.....	\$180,984	\$180,984		
Authority: Title 10.1, Chapters 10.1, 22 and 23, Code of Virginia.				
Out of the amounts for Administrative and Support Services, the department shall administer state grants to nonstate agencies pursuant to Item 504 of this act.				
Total for Department of Historic Resources.....			<b>\$39,924,864</b>	<b>\$14,202,024</b>
General Fund Positions.....	35.00	35.00		
Nongeneral Fund Positions.....	19.00	19.00		
Position Level.....	54.00	54.00		
Fund Sources: General.....	\$36,310,796	\$10,587,956		
Special.....	\$1,210,554	\$1,210,554		
Commonwealth Transportation.....	\$210,000	\$210,000		
Dedicated Special Revenue.....	\$97,799	\$97,799		
Federal Trust.....	\$2,095,715	\$2,095,715		

**§ 1-108. MARINE RESOURCES COMMISSION (402)**

388. Marine Life Management (50500).....			\$23,723,122	\$23,697,972
Marine Life Information Services (50501).....	\$1,392,916	\$1,392,916		
Marine Life Regulation Enforcement (50503).....	\$10,039,118	\$10,039,118		
Artificial Reef Construction (50506).....	\$69,520	\$69,520		
Chesapeake Bay Fisheries Management (50507).....	\$6,109,630	\$6,084,480		
Oyster Propagation and Habitat Improvement (50508).....	\$6,111,938	\$6,111,938		
Fund Sources: General.....	\$12,211,228	\$12,186,078		
Special.....	\$7,239,719	\$7,239,719		
Commonwealth Transportation.....	\$313,768	\$313,768		
Dedicated Special Revenue.....	\$650,513	\$650,513		
Federal Trust.....	\$3,307,894	\$3,307,894		

Authority: Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5 and 7; Title 28.2, Chapters 1 through 10; Title 29.1, Chapter 7; Title 32.1, Chapter 6; Title 33.2, Chapter 1; and Title 62.1, Chapters 18 and 20, Code of Virginia.

A. Out of this appropriation, \$54,611 the first year and \$54,611 the second year from the

ITEM 388.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>general fund is provided for annual membership dues to the Atlantic States Marine Fisheries Commission.</p> <p>B. Out of this appropriation, \$148,750 the first year and \$148,750 the second year from the general fund is provided for annual membership dues to the Potomac River Fisheries Commission.</p> <p>C. Out of the amounts for Marine Life Regulation Enforcement shall be paid into the Marine Patrols Fund, \$169,248 the first year and \$169,248 the second year, pursuant to § 28.2-108, Code of Virginia. For this purpose, cash shall be transferred from the Commonwealth Transportation Fund.</p> <p>D. Pursuant to § 58.1-2289 D, Code of Virginia, \$144,520 the first year and \$144,520 the second year shall be transferred to Marine Life Regulation Enforcement from the Commonwealth Transportation Fund from unrefunded motor fuel taxes for boats and paid into the Marine Patrols Fund.</p> <p>E. 1. Out of this appropriation, \$4,000,000 the first year and \$4,000,000 the second year from the general fund is provided to support oyster replenishment and oyster restoration activities. From these amounts \$1,500,000 the first year and \$1,500,000 the second year from the general fund shall be used to provide support for oyster restoration.</p> <p>2. Any unexpended general fund balances designated by the agency for oyster remediation activities remaining in this Item on June 30, 2023, and on June 30, 2024 shall be reappropriated and reallocated to the Marine Resources Commission for expenditure.</p> <p>F. The commission shall deposit proceeds from the sale of oyster shells, oyster seeds, and other subaqueous materials pursuant to § 28.2-550, Code of Virginia, to the Public Oyster Rock Replenishment Fund established by § 28.2-542, Code of Virginia. The proceeds from such sale shall be used for the same purposes specified in § 28.2-542, Code of Virginia.</p> <p>G. Out of the amounts in this Item, \$14,710 the first year and \$14,710 the second year from the general fund is included for the purchase of outboard motors through the Commonwealth's Master Equipment Leasing Program.</p>				
389.	Coastal Lands Surveying and Mapping (51000).....		\$7,701,039	\$3,201,039
	Coastal Lands and Bottomlands Management (51001).....	\$6,742,645		\$2,242,645
	Marine Resources Surveying and Mapping (51002)....	\$958,394		\$958,394
	Fund Sources: General.....	\$6,544,995		\$2,044,995
	Dedicated Special Revenue.....	\$974,044		\$974,044
	Federal Trust.....	\$182,000		\$182,000
<p>Authority: Title 28.2, Chapters 12, 13, 14, 15 and 16; Title 62.1, Chapters 16 and 19, Code of Virginia.</p> <p>A. Out of this appropriation, \$1,500,000 the first year from the general fund is designated for the non-federal share of an Army Corps of Engineers project to conduct a Chincoteague Inlet Study to address concerns related to erosion and sea-level rise.</p> <p>B. Out of the amounts in this item, \$3,000,000 the first year from the general fund is included to support the removal of derelict boats from Virginia waterways.</p>				
390.	Tourist Promotion (53600).....		\$220,000	\$220,000
	Virginia Saltwater Sport Fishing Tournament (53601).....	\$220,000		\$220,000
	Fund Sources: Special.....	\$220,000		\$220,000
<p>Authority: Title 28.2, Chapter 2, Code of Virginia</p> <p>Pursuant to the provisions of §28.2-206, Code of Virginia, the Virginia Marine Resources Commission shall conduct the Virginia Saltwater Sport Fishing Tournament in both years of the biennium.</p>				

ITEM 391.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
391. Administrative and Support Services (59900).....			\$2,920,460	\$2,920,310
General Management and Direction (59901).....	\$2,920,460	\$2,920,310		
Fund Sources: General.....	\$2,802,611	\$2,802,461		
Special.....	\$117,849	\$117,849		
Authority: Title 28.2, Chapters 1 and 2, Code of Virginia.				
A. The Marine Resources Commission 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 commission.				
B. From the amounts collected pursuant to § 28.2-200 et seq., Code of Virginia, and deposited into the Virginia Marine Products Fund (§ 3.2-2705, Code of Virginia), the Marine Resources Commission may retain \$10,000 the first year and \$10,000 the second year for the administrative cost of issuing gear licenses.				
C. The Virginia Marine Resources Commission shall report by December 15 of each year all projects and expenditures funded from the Virginia Saltwater Recreational Fishing Development Fund. The report shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.				
Total for Marine Resources Commission.....			<b>\$34,564,621</b>	<b>\$30,039,321</b>
General Fund Positions.....	142.50	142.50		
Nongeneral Fund Positions.....	29.00	29.00		
Position Level.....	171.50	171.50		
Fund Sources: General.....	\$21,558,834	\$17,033,534		
Special.....	\$7,577,568	\$7,577,568		
Commonwealth Transportation.....	\$313,768	\$313,768		
Dedicated Special Revenue.....	\$1,624,557	\$1,624,557		
Federal Trust.....	\$3,489,894	\$3,489,894		
<b>TOTAL FOR OFFICE OF NATURAL AND HISTORIC RESOURCES.....</b>			<b>\$967,459,378</b>	<b>\$571,566,614</b>
General Fund Positions.....	1,075.50	1,081.50		
Nongeneral Fund Positions.....	1,158.00	1,149.00		
Position Level.....	2,233.50	2,230.50		
Fund Sources: General.....	\$557,703,582	\$187,463,924		
Special.....	\$59,270,733	\$59,270,733		
Commonwealth Transportation.....	\$523,768	\$523,768		
Enterprise.....	\$13,540,093	\$13,540,093		
Trust and Agency.....	\$38,540,279	\$38,540,279		
Dedicated Special Revenue.....	\$233,453,881	\$207,800,775		
Federal Trust.....	\$64,427,042	\$64,427,042		

ITEM 392.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY**

**§ 1-109. SECRETARY OF PUBLIC SAFETY AND HOMELAND SECURITY (187)**

392.	Administrative and Support Services (79900).....			\$1,223,977	\$1,223,977
	General Management and Direction (79901).....	\$1,223,977	\$1,223,977		
	Fund Sources: General.....	\$1,223,977	\$1,223,977		

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 Courts of Justice and Senate Judiciary 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 of Public Safety and Homeland Security, or his designee, shall convene a work group to examine the costs and feasibility of the implementation of Senate Bill 134, 2022 Session of the General Assembly. The work group shall include representatives from the Department of Juvenile Justice, the Office of the Executive Secretary, Court Service Units, Juvenile Detention Centers, Juvenile and Domestic Relations District Courts, the Department of Corrections, the Department of Behavioral Health and Developmental Services, the Department of Planning and Budget, appropriate staff from the House Appropriations and Senate Finance and Appropriations Committees, and other appropriate stakeholders. The work group shall develop cost estimates and the associated efforts necessary to implement the provisions of Senate Bill 134, to include the state and local fiscal impact and any cost savings realized by reducing the number of individuals in the adult criminal justice system. In conducting this assessment, the work group shall review the experience of other states that have implemented similar legislation. The Secretary of Public Safety and Homeland Security shall submit a report of the work group's findings to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2022.

393.	Disaster Planning and Operations (72200).....			\$601,083	\$601,083
	Emergency Planning and Homeland Security (72210).....	\$601,083	\$601,083		
	Fund Sources: Federal Trust.....	\$601,083	\$601,083		
	<b>Total for Secretary of Public Safety and Homeland Security.....</b>			<b>\$1,825,060</b>	<b>\$1,825,060</b>
	General Fund Positions.....	6.00	6.00		
	Nongeneral Fund Positions.....	3.00	3.00		

ITEM 393.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Position Level.....	9.00	9.00		
Fund Sources: General.....	\$1,223,977	\$1,223,977		
Federal Trust.....	\$601,083	\$601,083		

**§ 1-110. COMMONWEALTH'S ATTORNEYS' SERVICES COUNCIL (957)**

394.	Adjudication Training, Education, and Standards (32600).....			\$2,369,884	\$2,369,884
	Prosecutorial Training (32604).....	\$2,369,884	\$2,369,884		
	Fund Sources: General.....	\$751,036	\$751,036		
	Special.....	\$1,418,848	\$1,418,848		
	Federal Trust.....	\$200,000	\$200,000		
	Authority: Title 2.2, Chapter 26, Article 7, Code of Virginia.				
	Total for Commonwealth's Attorneys' Services Council.....			<b>\$2,369,884</b>	<b>\$2,369,884</b>
	General Fund Positions.....	7.00	7.00		
	Position Level.....	7.00	7.00		
	Fund Sources: General.....	\$751,036	\$751,036		
	Special.....	\$1,418,848	\$1,418,848		
	Federal Trust.....	\$200,000	\$200,000		

**§ 1-111. VIRGINIA ALCOHOLIC BEVERAGE CONTROL AUTHORITY (999)**

395.	Crime Detection, Investigation, and Apprehension (30400).....			\$26,860,562	\$26,841,337
	Enforcement and Regulation of Alcoholic Beverage Control Laws (30403).....	\$26,860,562	\$26,841,337		
	Fund Sources: Enterprise.....	\$26,160,562	\$26,141,337		
	Federal Trust.....	\$700,000	\$700,000		

Authority: § 4.1-100 through § 4.1-133, Code of Virginia.

A. No funds appropriated for this program shall be used for enforcement personnel to enforce local ordinances.

B. Revenues of the fund appropriated in this Item and Item 396 of this act are limited to those received pursuant to Title 4, Code of Virginia, except taxes collected by the Alcoholic Beverage Control Board.

C. By September 1 of each year, the Alcoholic Beverage Control Board shall report for the prior fiscal year the dollar amount of total wine liter tax collections in Virginia; the portion, expressed in dollars, of such tax collections attributable to the sale of Virginia wine in both ABC stores and in private stores; and, the percentage of total wine liter tax collections attributable to the sale of Virginia wine. Such report shall be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, Director, Department of Planning and Budget and the Virginia Wine Board.

D. Included in this appropriation for this item is \$839,752 the first year and \$839,752 the second year from the Enterprise Fund to be used to support civilian licensing technicians.

E. Included in the appropriation for this item is \$2,500,000 the first year and \$2,500,000 the second year from the Enterprise Fund to support licensing agents in association with the Authority's licensing reform efforts.

F. Included in the appropriation for this Item is \$1,000,000 the first year and \$1,000,000 the second year from the Enterprise Fund to support enforcement activities related to the unlawful direct shipment into Virginia of alcoholic beverages by unlicensed businesses and fulfillment centers.

ITEM 396.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
396.	Alcoholic Beverage Merchandising (80100).....			\$985,302,631	\$1,039,831,964
	Administrative Services (80101).....	\$91,396,948	\$89,820,668		
	Alcoholic Beverage Control Retail Store Operations (80102).....	\$131,994,895	\$134,799,506		
	Alcoholic Beverage Purchasing, Warehousing and Distribution (80103).....	\$761,910,788	\$815,211,790		
	Fund Sources: Enterprise.....	\$985,302,631	\$1,039,831,964		

Authority: § 4.1-100 through § 4.1-133, Code of Virginia.

A. By December 15 of each year, the Alcoholic Beverage Control Board shall submit a report to the Staff Directors of the House Appropriations and Senate Finance and Appropriations Committees, Secretary of Public Safety and Homeland Security, the Director, Department of Planning and Budget, the Director, Department of Accounts, the Chief Information Officer of the Commonwealth, and the Auditor of Public Accounts regarding the status of financing, procuring and implementing the information technology systems necessary to sustain the Authority's business enterprise.

B. Funds appropriated for services related to state lottery operations shall be used solely for lottery ticket purchases and prize payouts.

C. The Alcoholic Beverage Control Board shall open additional stores in locations deemed to have the greatest potential for total increased sales in order to maximize profitability.

D. Notwithstanding § 4.1-120, Code of Virginia, the Alcoholic Beverage Control Board may open certain government stores, as determined by the Board, for the sale of alcoholic beverages on New Year's Day and on Sundays after 10:00 a.m.

E. Consistent with the provisions of Chapters 730 and 38, 2015 Acts of Assembly, members of the Board shall receive annually such salary, compensation, and reimbursement of expenses for the performance of their official duties as set forth in the general appropriation act for members of the House of Delegates when the General Assembly is not in session, except that the chairmen of the Board shall receive annually such salary, compensation, and reimbursement of expenses for the performance of his official duties as set forth in the general appropriation act for a member of the Senate of Virginia when the General Assembly is not in session.

Total for Virginia Alcoholic Beverage Control Authority.....			<b>\$1,012,163,193</b>	<b>\$1,066,673,301</b>
Nongeneral Fund Positions.....	1,643.00	1,699.00		
Position Level.....	1,643.00	1,699.00		
Fund Sources: Enterprise.....	\$1,011,463,193	\$1,065,973,301		
Federal Trust.....	\$700,000	\$700,000		

**§ 1-112. VIRGINIA CANNABIS CONTROL AUTHORITY (977)**

397.	Cannabis Regulation and Enforcement (30800).....			\$8,200,000	\$11,200,000
	Administrative Services (30801).....	\$8,200,000	\$11,200,000		
	Fund Sources: General.....	\$8,200,000	\$11,200,000		

Authority: §§4.1-601 through 4.1-1503, Code of Virginia.

Out of the amounts appropriated in this item, \$8,200,000 the first year and \$11,200,000 the second year from the general fund is provided for the startup and general operations of the Virginia Cannabis Control Authority. Included in these amounts, \$3,000,000 the second year from the general fund is provided for low-interest and zero-interest loans to assist applicants and licensees, to be distributed by the Authority consistent with existing law.

Total for Virginia Cannabis Control Authority.....			<b>\$8,200,000</b>	<b>\$11,200,000</b>
General Fund Positions.....	37.00	49.00		
Position Level.....	37.00	49.00		

ITEM 397.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$8,200,000	\$11,200,000		
<b>§ 1-113. DEPARTMENT OF CORRECTIONS (799)</b>				
398. Instruction (19700).....			\$32,033,181	\$32,142,006
Career and Technical Instructional Services for Youth and Adult Schools (19712).....	\$12,290,875	\$12,399,700		
Adult Instructional Services (19713).....	\$13,256,651	\$13,256,651		
Instructional Leadership and Support Services (19714).....	\$6,485,655	\$6,485,655		
Fund Sources: General.....	\$31,522,903	\$31,631,728		
Federal Trust.....	\$510,278	\$510,278		
Authority: §§ 53.1-5 and 53.1-10, Code of Virginia.				
399. Supervision of Offenders and Re-entry Services (35100).....			\$118,213,514	\$119,537,118
Probation and Parole Services (35106).....	\$106,980,864	\$108,304,468		
Community Residential Programs (35108).....	\$6,008,897	\$6,008,897		
Administrative Services (35109).....	\$5,223,753	\$5,223,753		
Fund Sources: General.....	\$115,118,412	\$116,442,016		
Dedicated Special Revenue.....	\$2,695,102	\$2,695,102		
Federal Trust.....	\$400,000	\$400,000		

Authority: §§ 53.1-67.2 through 53.1-67.6 and §§ 53.1-140 through 53.1-176.3, Code of Virginia.

A. By September 1 of each year, the Department of Corrections shall provide a status report on the Statewide Community-Based Corrections System for State-Responsible Offenders to the Chairs of the House Courts of Justice; Health, Welfare and Institutions; and Appropriations Committees and the Chairs of the Senate Judiciary; Rehabilitation and Social Services; and Finance and Appropriations Committees and to the Department of Planning and Budget. The report shall include a description of the department's progress in implementing evidence-based practices in probation and parole districts, and its plan to continue expanding this initiative into additional districts. The section of the status report on evidence-based practices shall include an evaluation of the effectiveness of these practices in reducing recidivism and how that effectiveness is measured.

B. Included in the appropriation for this Item is \$150,000 the first year and \$150,000 the second year from nongeneral funds to support the implementation of evidence-based practices in probation and parole districts. The source of the funds is the Drug Offender Assessment Fund.

C. Out of the amounts appropriated in this item, \$200,000 the first year and \$200,000 the second year from the general fund is designated for the Department of Corrections to pay the Department of Motor Vehicles for the costs of providing identification cards to inmates through the DMV Connect program.

D. Included in the appropriation for this Item is \$1,967,265 the first year and \$2,360,719 the second year and 37 positions from the general fund to expand the cognitive-behavioral program statewide for Probation and Parole offices. The Department of Corrections shall submit a report evaluating the effectiveness of the cognitive-behavioral program including but not limited to services and treatment provided, program completion rate, and recidivism rate for those individuals who participated in the program. The report shall be submitted to the Governor, the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees, the Secretary of Finance, and the Director, Department of Planning and Budget by November 1, 2023.

E.1. Included in the appropriation for this item, \$3,337,051 the first year and \$3,640,419 the second year from the general fund is provided for a \$3,000 per year salary increase for probation and parole officers, including senior officers and supervisors, effective July 10, 2022.

ITEM 399.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
2.	The Department shall conduct a review of its probation and parole officer staffing levels, including vacancies, rates of staff turnover and recruitment statistics, employment conditions, and employee compensation at the Department. The Department shall deliver a report containing such data and information to the Governor and the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by October 1, 2022.			
400.	A. The following process shall be applicable in order for any county, city, or regional jail authority (hereinafter referred to as "the locality") to receive state reimbursement for a portion of the costs of the construction, expansion, or renovation of a jail as provided in §§53.1-80 and 53.1-81, Code of Virginia:			
	1. The locality shall file with the Department of Corrections, by January 1 of the year in which it wishes its request to be considered, the following information in a format specified by the department:			
	a. the information and documents required by §53.1-82.1, Code of Virginia;			
	b. Specifications for the proposed construction or renovation; and			
	c. Detailed cost estimates.			
	2. The Department of Corrections shall review the request and make its comments and recommendations to the State Board of Local and Regional Jails.			
	3. The Departments of Corrections and Criminal Justice Services shall review the community-based corrections plan and jail population forecast submitted by the locality and make their comments and recommendation concerning them to the State Board of Local and Regional Jails.			
	4. The State Board of Local and Regional Jails shall review and take action on the request, after reviewing the comments and recommendations of the Departments of Corrections and Criminal Justice Services. It may modify any aspect of the request before approving it. The Board shall not approve any request unless the following conditions have been met:			
	a. the project is consistent with the projected number of local and state responsible offenders to be housed in such facility;			
	b. the project meets the design criteria set out in the State Board of Local and Regional Jails' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities;			
	c. the project is proposed to be built using standards for a minimum security facility, as adopted by the Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security;			
	d. the project can be completed and operated in a cost-efficient manner; and			
	e. any other criteria established by the Board.			
	5. If the State Board of Local and Regional Jails approves a request, the Department of Corrections shall (i) submit to the Department of General Services (DGS) as soon as is practicable after Board approval, but no later than August 1, the completed forms DGS-30-199 (CR-1) Project Planner, DGS-30-224 (BCS) Building Cost Summary (for all estimates), and a DGS-30-212 Summary of Value Engineering Recommendations (VE-1), and any existing design documents for each project, the detailed list of the Board-approved costs, and any other information requested by DGS to perform a design and cost review; and (ii) submit to the Department of Planning and Budget by no later than October 1, a summary of the project and a detailed list of the Board-approved costs. Using the project information provided by the Department of Corrections and the localities, DGS shall provide a cost review of the Board-approved project no later than October 1 and shall inform the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of the outcome of its review.			



ITEM 400.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
<p>6. If the State Board of Local and Regional Jails approves a request, the Department of Criminal Justice Services shall submit to the Department of Planning and Budget by October 1 a summary of the alternatives to incarceration included in the community-based corrections plan approved for the project, along with a projection of the state funds needed to implement these programs.</p>					
<p>7. The Department of Planning and Budget shall submit to the Governor, for consideration for inclusion in the budget bill to be submitted by the Governor to the General Assembly, its recommendations concerning the approval of the request for reimbursement of jail construction or renovation costs and whether state funding is appropriate to support the alternatives to incarceration included in the community-based corrections plan.</p>					
<p>B. The Department of Corrections shall provide an annual report on the status of jail construction and renovation projects as approved for funding by the General Assembly. The report shall be limited to those projects which increase bed capacity. The report shall include a brief summary description of each project, the total capital cost of the project and the approved state share of the capital cost, the number of beds approved, along with the net number of new beds if existing beds are to be removed, and the closure of any existing facilities, if applicable. The report shall include the six-year population forecast, as well as the double-bunking capacity compared to the rated capacity for each project listed. The report shall also include the general fund impact on community corrections programs as reported by the Department of Criminal Justice Services, and the recommended financing arrangements and estimated general fund requirements for debt service as provided by the State Treasurer. Copies of the report shall be provided by October 1 of each year to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees and to the Director, Department of Planning and Budget.</p>					
<p>C.1. No city, county, town or regional jail shall authorize the construction, remodeling, renovation or rehabilitation of any facility to house any inmate in secure custody which results in increased jail capacity without the prior approval of the State Board of Local and Regional Jails.</p>					
<p>2. Any facility operated by any local or regional jail in the Commonwealth which houses any inmate in secure custody shall be subject to the operational provisions of §§ 53.1-5 and 53.1-68, Code of Virginia, as well as all rules, regulations, and inspections established by the State Board of Local and Regional Jails.</p>					
<p>D. The State Board of Local and Regional Jails shall include within its reporting formats on the capacity of each local and regional jail, a measure of the actual jail capacity, which shall include double-bunking, with exceptions as appropriate, in the judgment of the Board, for isolation, segregation, or medical cells, or similar units which would not normally be double-bunked. Exceptions to this measure of capacity may also be made for jails which were constructed prior to 1980. A report including the double-bunking capacity, as well as the standard State Board of Local and Regional Jails measure of rated capacity, for each jail shall be presented to the Secretary of Public Safety and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees by October 1 of each year.</p>					
<p>E. The Commonwealth shall reimburse localities or regional jail authorities up to 25 percent of the cost of constructing, enlarging, or renovating local or regional jails, for projects approved by the Governor on or after July 1, 2017.</p>					
401.	Operation of State Residential Community Correctional Facilities (36100).....			\$17,868,136	\$17,868,136
	Community Facility Management (36101).....	\$1,612,308	\$1,612,308		
	Supervision and Management of Probates (36102)..	\$11,794,985	\$11,794,985		
	Rehabilitation and Treatment Services - Community Residential Facilities (36103).....	\$1,538,022	\$1,538,022		
	Medical and Clinical Services - Community Residential Facilities (36104).....	\$891,521	\$891,521		
	Food Services - Community Residential Facilities (36105).....	\$855,566	\$855,566		
	Physical Plant Services - Community Residential Facilities (36106).....	\$1,175,734	\$1,175,734		

ITEM 401.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$16,968,136	\$16,968,136		
Special.....	\$900,000	\$900,000		
Authority: §§ 53.1-67.2 through 53.1-67.8, Code of Virginia.				
A. Included within this appropriation is \$700,000 the first year and \$700,000 the second year from nongeneral funds to be used for operating expenses of diversion centers operated by the Department of Corrections. The nongeneral funds are to come from the fees collected from probationers assigned to the diversion centers to cover a portion of the cost of housing them, pursuant to § 19.2-316.4 D, Code of Virginia.				
B. Included in the appropriation for this Item is \$1,019,010 the first year and \$1,019,010 the second year from the general fund for the establishment of opioid treatment programs in the detention and diversion centers. The department shall report annually to the Governor, the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees, and the Department of Planning and Budget on the status of the program, including recidivism and illegal drug relapse of participants in the program.				
402.	Operation of Secure Correctional Facilities (39800)....		\$867,543,295	\$872,424,207
	Supervision and Management of Inmates (39802).....	\$553,750,458	\$558,127,009	
	Rehabilitation and Treatment Services - Prisons (39803).....	\$51,791,209	\$52,295,570	
	Prison Management (39805).....	\$74,012,872	\$74,012,872	
	Food Services - Prisons (39807).....	\$41,065,447	\$41,065,447	
	Agribusiness (39811).....	\$12,783,017	\$12,783,017	
	Correctional Enterprises (39812).....	\$51,856,358	\$51,856,358	
	Physical Plant Services - Prisons (39815).....	\$82,283,934	\$82,283,934	
	Fund Sources: General.....	\$812,361,937	\$817,242,849	
	Special.....	\$55,181,358	\$55,181,358	

Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.

A. Included in this appropriation is \$1,620,000 the first year and \$1,620,000 the second year from nongeneral funds for the purposes listed below. The source of the funds is commissions generated by prison commissary operations:

1. \$220,000 the first year and \$220,000 the second year for Assisting Families of Inmates, Inc., to provide transportation for family members to visit offenders in prison and other ancillary services to family members;
2. \$1,325,000 the first year and \$1,325,000 the second year for distribution to organizations that work to enhance faith-based services to inmates; and
3. \$75,000 the first year and \$75,000 the second year for the "FETCH" program.

B.1. The Department of Corrections is authorized to contract with other governmental entities to house male and female prisoners from those jurisdictions in facilities operated by the department.

2. The State Comptroller shall continue to maintain the Contract Prisoners Special Revenue Fund on the books of the Commonwealth to reflect the activities of contracts between the Commonwealth of Virginia and other governmental entities for the housing of prisoners in facilities operated by the Virginia Department of Corrections.

3. The Department of Corrections shall determine whether it may be possible to contract to house additional federal inmates or inmates from other states in space available within state correctional facilities. The department may, subject to the approval of the Governor, enter into such contracts, to the extent that sufficient bedspace may become available in state facilities for this purpose.

C. The Department of Corrections may enter into agreements with local and regional jails to house state-responsible offenders in such facilities and to affect transfers of convicted state felons between and among such jails. Such agreements shall be governed by the provisions of

ITEM 402.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Item 73 of this act.				
D. To the extent that the Department of Corrections privatizes food services, the department shall also seek to maximize agribusiness operations.				
E. Notwithstanding the provisions of § 53.1-45, Code of Virginia, the Department of Corrections is authorized to sell on the open market and through the Virginia Farmers' Market Network any dairy, animal, or farm products of which the Commonwealth imports more than it exports.				
F. It is the intention of the General Assembly that § 53.1-47, the Code of Virginia, concerning articles and services produced or manufactured by persons confined in state correctional facilities, shall be construed such that the term "manufactured" articles shall include "remanufactured" articles.				
G.1. The Department of Corrections, in coordination with the Virginia Supreme Court, shall continue to operate a behavioral correction program. Offenders eligible for such a program shall be those offenders: (i) who have never been convicted of a violent felony as defined in § 17.1-805 of the Code of Virginia and who have never been convicted of a felony violation of §§ 18.2-248 and 18.2-248.1 of the Code of Virginia; (ii) for whom the sentencing guidelines developed by the Virginia Criminal Sentencing Commission would recommend a sentence of four years or more in facilities operated by the Department of Corrections; and (iii) whom the court determines require treatment for drug or alcohol substance abuse. For any such offender, the court may impose the appropriate sentence with the stipulation that the Department of Corrections place the offender in an intensive therapeutic community-style substance abuse treatment program as soon as possible after receiving the offender. Upon certification by the Department of Corrections that the offender has successfully completed such a program of a duration of 24 months or longer, the court may suspend the remainder of the sentence imposed by the court and order the offender released to supervised probation for a period specified by the court.				
2. If an offender assigned to the program voluntarily withdraws from the program, is removed from the program by the Department of Corrections for intractable behavior, fails to participate in program activities, or fails to comply with the terms and conditions of the program, the Department of Corrections shall notify the court, outlining specific reasons for the removal and shall reassign the defendant to another incarceration assignment as appropriate. Under such terms, the offender shall serve out the balance of the sentence imposed by the court, as provided by law.				
3. The Department of Corrections shall collect the data and develop the framework and processes that will enable it to conduct an in-depth evaluation of the program three years after it has been in operation. The department shall submit a report periodically on the program to the Chief Justice as he may require and shall submit a report on the implementation of the program and its usage to the Secretary of Public Safety and Homeland Security and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by June 30 of each year.				
H. Included in the appropriation for this Item is \$250,000 the first year and \$250,000 the second year from nongeneral funds for a culinary arts program in which inmates are trained to operate food service activities serving agency staff and the general public. The source of the funds shall be revenues generated by the program. Any revenues so generated by the program shall not be subject to § 4-2.02 of this act and shall be used by the agency for the costs of operating the program. The State Comptroller shall continue to maintain the Inmate Culinary Arts Training Program Fund on the books of the Commonwealth to reflect the revenue and expenditures of this program.				
I. Federal funds received by the Department of Corrections from the federal Residential Substance Abuse Treatment Program shall be exempt from payment of statewide and agency indirect cost recoveries into the general fund.				
J. The Department of Corrections shall continue to operate a separate program for inmates under 18 years old who have been tried and convicted as adults and committed to the Department of Corrections. This separation of these offenders from the general prison population is required by the requirements of the federal Prison Rape Elimination Act.				

ITEM 402.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>K. Included within the appropriation for this item is \$214,103 the first year and \$242,923 the second year and two positions from the general fund for the Sex Offender Residential Treatment Program.</p> <p>L. Out of this appropriation, \$471,420 the first year and \$471,420 the second year from the general fund and five positions to implement the recommendations of the Secretary of Public Safety and Homeland Security's workgroup on Access to Sex Offender Treatment.</p> <p>M. Included in this appropriation is \$250,000 the first year and \$250,000 the second year from the general fund for the expansion and subsidization of the family video visitation services in its secure correctional facilities.</p> <p>N. Included in the appropriation for this Item is \$2,021,037 the first year and \$2,425,245 the second year and 33 positions from the general fund to reduce the ratio of mental health clinicians to inmates in correctional facilities. The Department of Corrections shall report on mental health screenings and assessments, monitoring, and mental health treatment plans and services provided, including but not limited to reentry services and recidivism rates for those individuals who required mental health services in correctional facilities. The report shall be submitted to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget by November 1, 2023.</p> <p>O.1. Included in the appropriation for this Item is \$26,072,637 the first year and \$30,520,519 the second year from the general fund to increase minimum salaries and to address salary compression issues for correctional officers, sergeants, captains, lieutenants, and majors effective July 10, 2022.</p> <p>2. The Department shall report on the allocation of these funds and their effectiveness in addressing the workforce challenges identified by the workgroup under Chapter 1, Virginia Acts of Assembly, 2021 Special Session II. The report shall detail the number of vacancies, identify and report on specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of vacancies, and discuss other ongoing efforts implemented by the department to recruit and retain qualified and diverse correctional officer personnel. A report shall be submitted to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Human Resources Management, and the Director, Department of Planning and Budget, no later than October 15, 2023.</p>				
403.			\$260,341,125	\$259,192,581
	Prison Medical and Clinical Services (39700).....			
	Comprehensive Healthcare Facility Contract Costs (39701).....		\$51,185,068	\$14,302,752
	Offsite Healthcare Costs (39702).....		\$35,918,421	\$45,759,321
	Pharmaceutical Costs (39703).....		\$52,756,100	\$56,495,497
	Department of Corrections-managed Facility Healthcare Costs (39704).....		\$120,481,536	\$142,635,011
	Fund Sources: General.....		\$258,853,948	\$257,705,404
	Special.....		\$566,137	\$566,137
	Federal Trust.....		\$921,040	\$921,040

Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.

A. Out of this appropriation, \$921,040 the first year and \$921,040 the second year from nongeneral funds is included for inmate medical costs. The source of the nongeneral funds is an award from the State Criminal Alien Assistance Program, administered by the U.S. Department of Justice.

B. The Department of Corrections shall continue to coordinate with the Department of Medical Assistance Services and the Department of Social Services to enroll eligible inmates in Medicaid. To the extent possible, the Department of Corrections shall work to identify potentially eligible inmates on a proactive basis, prior to the time inpatient hospitalization occurs. Procedures shall also include provisions for medical providers to bill the Department of Medical Assistance Services, rather than the Department of Corrections, for eligible inmate inpatient medical expenses. Due to the multiple payor sources associated with inpatient and

ITEM 403.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>outpatient health care services, the Department of Corrections and the Department of Medical Assistance Services shall consult with the applicable provider community to ensure that administrative burdens are minimized and payment for health care services is rendered in a prompt manner.</p> <p>C. Included in the appropriation for this item is funding for the first year and the second year from the general fund for six medical contract monitors. The persons filling these positions shall have the responsibility of closely monitoring the adequacy and quality of inmate medical services in Department of Corrections' facilities.</p> <p>D. The workgroup convened pursuant to Item 390, Paragraph R of Chapter 854, 2019 Acts of Assembly, shall be continued. The workgroup shall annually report on the progress and outcomes of the university medical pilots authorized in this Item. The report shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15 of each year.</p>				
404.	Administrative and Support Services (39900).....		\$193,189,083	\$192,727,270
	General Management and Direction (39901).....	\$33,235,862		\$32,977,922
	Information Technology Services (39902).....	\$80,215,543		\$80,201,040
	Accounting and Budgeting Services (39903).....	\$6,327,168		\$6,327,168
	Architectural and Engineering Services (39904).....	\$18,395,849		\$17,973,910
	Jail Regulation, Inspections, and Investigations (39905).....	\$971,215		\$971,215
	Human Resources Services (39914).....	\$13,806,733		\$14,039,302
	Planning and Evaluation Services (39916).....	\$1,917,612		\$1,917,612
	Procurement and Distribution Services (39918).....	\$16,842,666		\$16,842,666
	Training Academy (39929).....	\$11,144,616		\$11,144,616
	Offender Classification and Time Computation Services (39930).....	\$10,331,819		\$10,331,819
	Fund Sources: General.....	\$185,743,442		\$185,281,629
	Special.....	\$7,290,106		\$7,290,106
	Dedicated Special Revenue.....	\$155,535		\$155,535

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 books of the Commonwealth 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

ITEM 404.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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 Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget on the use of this funding.</p>				
<p>L. Included in the appropriation for this Item is \$426,832 the first year and \$426,832 the second year from the general fund and four positions to assist the State Board of Local and Regional Jails 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. One of the positions provided is for an Executive Director.</p>				

ITEM 404.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p>				
<p>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 \$112,200 the first year and \$112,200 the second year from nongeneral funds and two positions.</p>				
<p>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 Chairs of the House Appropriations and Senate Finance and Appropriations 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.</p>				
<p>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>				
<p>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.</p>				
<p>Q.1. Included within the appropriation for this item is \$7,281,666 the first year and \$7,281,666 the second year from the general fund and \$1,000,000 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.</p>				
<p>2. The Department of Corrections shall report on the total costs of implementing electronic health records at all of its facilities based on the selected vendor and the sufficiency of its on-going funding for full implementation at all facilities. The report shall identify all funding currently budgeted for the project, the timeline for implementation, and the inter-operability of the system with the information technology systems used by the Department and its vendors. The Department shall utilize its nongeneral funds appropriated for this purpose prior to using the general fund appropriation. The Department shall provide a report containing the aforementioned information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 60 days of selecting its vendor.</p>				
<p>R. 1. Included in the appropriation for this item is \$7,909,652 in the first year and \$8,125,783 in the second year and 105 positions from the general fund for the Department to implement the earned-sentence-credit structure set forth in House Bill 5148 and Senate Bill 5034 of the 2020 Special Session I.</p>				
<p>2. Notwithstanding the provisions of § 53.1-202.3, Code of Virginia, a maximum of 4.5 sentence credits may be earned for each 30 days served on a sentence that is concurrent with or consecutive to a sentence for a conviction of an offense enumerated in subsection A of § 53.1-202.3, Code of Virginia.</p>				

ITEM 404.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
S. Included in the appropriation for this Item is \$500,000 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 434 -- \$50,000				
2. House Bill 451 -- \$50,000				
3. House Bill 496 and Senate Bill 687 -- \$50,000				
4. House Bill 740 and Senate Bill 729 -- \$50,000				
5. House Bill 993 and Senate Bill 440 -- \$50,000				
6. House Bill 763 and Senate Bill 403 -- \$50,000				
7. House Bill 1332 and Senate Bill 700 -- \$50,000				
8. House Bill 1306 -- \$50,000				
9. Senate Bill 227 -- \$50,000				
10. Senate Bill 249 -- \$50,000				
Total for Department of Corrections.....			<b>\$1,489,188,334</b>	<b>\$1,493,891,318</b>
General Fund Positions.....	12,907.00	13,068.00		
Nongeneral Fund Positions.....	238.50	233.50		
Position Level.....	13,145.50	13,301.50		
Fund Sources: General.....	\$1,420,568,778	\$1,425,271,762		
Special.....	\$63,937,601	\$63,937,601		
Dedicated Special Revenue.....	\$2,850,637	\$2,850,637		
Federal Trust.....	\$1,831,318	\$1,831,318		

**§ 1-114. DEPARTMENT OF CRIMINAL JUSTICE SERVICES (140)**

405.	Criminal Justice Training and Standards (30300).....			\$5,796,871	\$5,807,704
	Criminal Justice Training Services (30303).....	\$2,942,994	\$2,942,994		
	Standards and Training (30304).....	\$1,707,107	\$1,717,940		
	Criminal Justice Academy Inspections and Audit Services (30307).....	\$1,146,770	\$1,146,770		
	Fund Sources: General.....	\$5,545,136	\$5,555,969		
	Special.....	\$251,735	\$251,735		

Authority: Title 9.1, Chapter 1, Code of Virginia.

A. The Director of the Department of Criminal Justice Services (the Director) and the Board of Criminal Justice Services (the Board) shall, in conjunction with the relevant stakeholders, review all of the compulsory minimum training standards which are applicable to law-enforcement officers and update them as needed. The Director and the Board shall ensure that the training standards appropriately educate law-enforcement officers in the areas of mental health, community policing, and serving individuals who are disabled. The updated compulsory minimum training standards shall, where appropriate, include consideration of, but not be limited to, the recommendations of the President's Task Force on 21st Century Policing. The Director shall identify current resources available to officers in dealing with situations related to mental health and identify what resources are needed. Any updates to the compulsory minimum training standards shall be completed by June 30, 2022, and shall be reported to the Chairs of the House Committees on Militia, Police, and Public Safety, Courts of Justice, and Appropriations, and to the Chairs of the Senate Judiciary Committee.

B. Included in the amounts appropriated for this item is \$280,000 the first year and \$280,000 the second year from the general fund for the Department to provide annual trainings on active shooter scenarios to school and community personnel.



ITEM 405.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>C. Included in the amounts appropriated for this item is \$427,630 the first year and \$427,630 the second year from the general fund for oversight and management of the school resource officer and school security officer certification and training programs, the provision of basic training courses for school resource officers and school personnel, and development and update Virginia-specific training resources for school resource officers and school security officers.</p>				
<p>D.1. Included in the amounts appropriated for this item is \$595,630 the first year and \$595,630 the second year from the general fund for the purpose of expanding training provided to members of threat assessment teams.</p>				
<p>2. Included in the amounts appropriated for this item is \$125,000 the first year and \$125,000 the second year from the general fund for the development of a case management tool for use by threat assessment teams, consistent with the provisions of House Bill 1734 of the 2019 Session of the General Assembly.</p>				
<p>E. Included in the amounts appropriated for this item is \$871,890 the first year and \$871,890 the second year from the general fund to enhance school safety training provided to Virginia school personnel, to include hosting live trainings and conferences, developing online training and curricula, and developing Virginia-specific school safety resources.</p>				
<p>F. Included in the appropriation for this item is \$249,695 the first year and \$249,695 the second year from the general fund and two positions to support proposed legislation in the 2020 Special Session I of the General Assembly related to the decertification of law-enforcement officers.</p>				
<p>G. Included in the appropriation for this item is \$113,790 the first year and \$113,790 the second year from the general fund and one position to support proposed legislation in the 2020 Special Session I of the General Assembly related to the expansion of the decertification process of law-enforcement personnel.</p>				
<p>H. Included in the appropriation for this item is \$50,000 the first year and \$50,000 the second year from the general fund to support proposed legislation in the 2020 Special Session I of the General Assembly related to the development of a statewide officer database for purposes of sharing information between law-enforcement agencies.</p>				
<p>I. Included in the appropriation for this item is \$727,122 the first year and \$727,122 the second year from the general fund and six positions to support proposed legislation in the 2020 Special Session I of the General Assembly to establish statewide mandatory minimum training standards for law-enforcement training academies.</p>				
<p>J. Notwithstanding the provisions of §§ 2.2-5515, 15.2-1721.1, and 52-11.3, a waiver from the Criminal Justice Services Board is only required for the continued use of rifles of .50 caliber or higher or ammunition of .50 caliber or higher for use in such rifles and not for other types of firearms or ammunition of .50 caliber or higher.</p>				
406.	Criminal Justice Research, Planning and Coordination (30500).....		\$1,703,971	\$3,226,221
	Criminal Justice Research, Statistics, Evaluation, and Information Services (30504).....	\$1,703,971	\$3,226,221	
	Fund Sources: General.....	\$1,703,971	\$3,226,221	

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 \$492,851 the first year and \$515,101 the second year from the general fund and three positions 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.

ITEM 406.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p> <p>D. Included in the appropriation for this item is \$122,405 the first year and \$1,622,405 the second year from the general fund and three positions for crisis intervention team training to law-enforcement officers and dispatchers, and to provide technical assistance in support of the Mental Health Awareness Response and Community Understanding Services (MARCUS) alert system. These activities are supported in the first year through the American Rescue Plan Act (ARPA) as funded in Item 486 of this Act.</p> <p>E. Included within the appropriation for this item is \$132,254 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.</p> <p>F. Included within the appropriation for this item is \$232,898 the first year and \$232,898 the second year from the general fund to provide an online human trafficking recognition training course to hotel employees consistent with the provisions of §§ 9.1-102 and 35.1-15.1, Code of Virginia.</p>				
407.	Asset Forfeiture and Seizure Fund Management and Financial Assistance Program (30600).....		\$6,226,895	\$6,226,895
	Coordination of Asset Seizure and Forfeiture Activities (30602).....	\$6,226,895	\$6,226,895	
	Fund Sources: Special.....	\$6,226,895	\$6,226,895	
	Authority: Title 19.2, Chapter 22.1, Code of Virginia.			
408.	Financial Assistance for Administration of Justice Services (39000).....		\$188,192,489	\$182,192,489
	Criminal Justice Assistance Grants (39002).....	\$171,881,957	\$168,381,957	
	Criminal Justice Grants Fiscal Management Services (39003).....	\$1,256,178	\$1,256,178	
	Criminal Justice Policy and Program Services (39004).....	\$15,054,354	\$12,554,354	
	Fund Sources: General.....	\$90,105,767	\$84,105,767	
	Special.....	\$6,624	\$6,624	
	Trust and Agency.....	\$4,298,130	\$4,298,130	
	Dedicated Special Revenue.....	\$13,605,820	\$13,605,820	
	Federal Trust.....	\$80,176,148	\$80,176,148	

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 Chairs of the Senate Finance and Appropriations 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

ITEM 408.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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:</p>				
<p>1.a. Regional training academies for criminal justice training, \$1,527,859 the first year and \$1,527,859 the second year from the general fund and an estimated \$1,122,530 the first year and an estimated \$1,122,530 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.</p>				
<p>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, 2022, through June 30, 2024.</p>				
<p>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.</p>				
<p>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 Senate Finance and Appropriations and House Appropriations Committees by October 16 of each year.</p>				
<p>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.</p>				
<p>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.</p>				
<p>4. Domestic Violence Fund, established pursuant to § 9.1-116.1, Code of Virginia, \$3,000,000 the first year and \$3,000,000 the second year from the dedicated special revenue fund, and \$1,400,000 the first year and \$1,400,000 the second year from the general fund, to provide grants to local programs and prosecutors that provide services to victims of domestic violence. Of this amount, at least \$500,000 the first year and at least \$500,000 the second year is provided to support sexual assault service providers and hospitals as described in clause (iii) of § 9.1-116.1 B, Code of Virginia, as amended by the 2022 Session of the General Assembly.</p>				
<p>5. Pre and Post-Incarceration Services (PAPIS), \$3,786,144 the first year and \$3,786,144 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.</p>				
<p>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.</p>				

ITEM 408.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
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, \$28,190,378 the first year and \$28,190,378 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, \$27,200,000 the first year and \$27,200,000 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. Notwithstanding the provisions of § 9.1-110, Code of Virginia, and subsection 3 of this section, the Department shall waive all matching requirements for grant recipients awarded funds the first year.				
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				

ITEM 408.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	<p>\$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.</p>			
	<p>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.</p>			
	<p>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.</p>			
	<p>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.</p>			
	<p>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.</p>			
	<p>H.1. Out of the amounts appropriated for this Item, \$446,547 the first year and \$446,547 the second year from the general fund and \$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, \$1,896,547 the first year and \$1,896,547 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.</p>			
	<p>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 Senate Finance and Appropriations and House Appropriations Committees, and Director, Department of Planning and Budget prior to the distribution of these funds each year.</p>			
	<p>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.</p>			
	<p>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.</p>			

ITEM 408.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>M. Included in the appropriation for this Item, \$193,658 the first year and \$193,658 the second year from the general fund and four positions to support evidence-based gun violence intervention and prevention services.</p>				
<p>N.1.a. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Firearm Violence Intervention and Prevention Fund (the Fund). The Fund shall be established on the books of the Comptroller. All moneys accruing to the Fund, including funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used for the purpose of supporting gun violence intervention and prevention programs. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department.</p>				
<p>b. The Firearm Violence Intervention and Prevention Fund shall be administered by the Department, and the Department shall adopt guidelines and make funds available to agencies of local government, community-based organizations, and hospitals for the purpose of supporting implementation of evidence-informed gun violence intervention and prevention efforts, including street outreach, hospital-based violence intervention, and other violence intervention programs. Grant funds shall also support firearm suicide prevention and safe firearm removal practices from persons prohibited from possessing a firearm, including</p>				

ITEM 408.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>subjects of domestic violence protective orders, persons convicted of prohibitory crimes, and persons subject to substantial risk orders. The Department shall establish a grant procedure to govern funds awarded for this purpose.</p>				
<p>c. Out of the amounts appropriated for this item, \$4,000,000 the first year and \$4,000,000 the second year from the general fund shall be deposited into the Firearm Violence Intervention and Prevention Fund. At least \$1,500,000 each year shall be provided to localities with disproportionate firearm-related homicides to support crime intervention and prevention through community engagement, including youth programs, to include at least \$500,000 the first year for the City of Portsmouth and at least \$1,000,000 the first year for the City of Norfolk.</p>				
<p>2.a. There is hereby created in the state treasury a special nonreverting fund to be known as the Operation Ceasefire Grant Fund (the Fund) and managed by the Department. The Fund shall be established on the books of the Comptroller. All moneys appropriated by the General Assembly for the Fund, and from any other sources, public or private, shall be paid into the state treasury and be credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the Director of the Department.</p>				
<p>b. Moneys in the Fund shall be used solely for the purposes of implementing violent crime reduction strategies, providing training for law-enforcement officers and prosecutors, providing equipment for law-enforcement agencies, and awarding grants to organizations such as state and local law-enforcement agencies, local attorneys for the Commonwealth, localities, social services providers, and nonprofit organizations that are engaged in group violence intervention efforts. For the purposes of subsection N.2. of this item, "group violence intervention" means comprehensive law enforcement, prosecutorial, and community-based initiatives, substantially similar to Operation Ceasefire as implemented in Boston, Massachusetts and the Gang Reduction Programs implemented in Richmond and Los Angeles, California, which are documented by the Department of Justice and are carried out between members of law enforcement, members of the community, and social services providers. The Department shall establish an application process for awarding grants from the Fund, including criteria and procedures for determining the amount of a grant.</p>				
<p>c. Out of the amounts appropriated for this item, \$2,500,000 the first year and \$2,500,000 the second year from the general fund shall be deposited into the Operation Ceasefire Grant Fund.</p>				
<p>3. Out of the amounts in section N of this item, the Director, Department of Criminal Justice Services, is authorized to expend no more than three percent per year for state administration of these programs. The Department shall submit an annual report that details the amounts awarded and evaluates the implementation and effectiveness of each grant recipient's program 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 Senate Finance and Appropriations Committees by November 1, 2022 and November 1, 2023.</p>				
<p>O. 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 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</p>				

ITEM 408.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p> <p>P. Included within the appropriation for this item is \$113,790 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. Any distributions made to a local law enforcement agency under this paragraph shall require a 50 percent match from local fund sources.</p> <p>Q. Included in the appropriation for this item is \$2,000,000 the first year from the general fund as a one-time appropriation for the Big H.O.M.I.E.S. program.</p> <p>R. Included in the appropriation for this item is \$400,000 the first year and \$400,000 the second year from the general fund to support the Virginia Victim Assistance Network.</p> <p>S. To support campus safety and security initiatives at the Commonwealth’s Historically Black Colleges and Universities, \$4,000,000 the first year from the general fund. Of this amount, \$1,000,000 shall be provided to each of (i) Virginia State University, (ii) Norfolk State University, (iii) the City of Richmond in support of campus safety and security initiatives undertaken by Virginia Union University, and (iv) the City of Hampton in support of campus safety and security initiatives undertaken by Hampton University.</p>				
409.	Regulation of Professions and Occupations (56000)...		\$3,662,569	\$3,662,569
	Towing Licensing Oversight Services (56035).....	\$302,150		\$302,150
	Licensure, Certification, and Registration of Professions and Occupations (56046).....	\$1,881,040		\$1,881,040
	Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047).....	\$1,479,379		\$1,479,379
	Fund Sources: Special.....	\$3,662,569		\$3,662,569
	Authority: Title 9.1, Chapter 1, Article 4, §§ 9.1-141, 9.1-139, 9.1-143, and 9.1-149, Code of Virginia.			
410.	Financial Assistance to Localities - General (72800)...		\$210,797,081	\$219,650,081
	Financial Assistance to Localities Operating Police Departments (72813).....	\$210,797,081		\$219,650,081
	Fund Sources: General.....	\$210,797,081		\$219,650,081
	Authority: Title 9.1, Chapter 1, Article 8, Code of Virginia.			
<p>A. The funds appropriated in this Item shall be distributed to localities with qualifying police departments, as defined in §§ 9.1-165 through 9.1-172, Code of Virginia (HB 599), except that, in accordance with the requirements of § 15.2-1302, Code of Virginia, such funds shall also be distributed to a city without a qualifying police force that was created by the consolidation of a city and a county subsequent to July 1, 2011, pursuant to the provisions of § 15.2-3500 et seq. of the Code of Virginia. Notwithstanding the provisions of §§ 9.1-165 through 9.1-172, Code of Virginia, the total amount to be distributed to localities shall be \$210,797,081 the first year and \$219,650,081 the second year. The amount to be distributed to such a city created by consolidation shall equal the sum distributed to the city during the year prior to the effective date of the consolidation, net of any additional funds allocated by the Compensation Board to the sheriff of the consolidated city as a result of such consolidation, as adjusted in proportion to the increase or decrease in the total amount distributed to all localities during the applicable year. Notwithstanding the provisions of § 9.1-165, Code of Virginia, the amount to be distributed to each locality in each year shall be proportionate to the amount distributed to that locality in FY 2018.</p> <p>B. For purposes of receiving funds in accordance with this program, it is the intention of the General Assembly that the Town of Boone's Mill shall be considered to have had a police department in operation since the 1980-82 biennium and is therefore eligible for financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia (House Bill 599).</p> <p>C.1. It is the intent of the General Assembly that state funding provided to localities operating police departments be used to fund local public safety services. Funds provided in this item shall not be used to supplant the funding provided by localities for public safety services.</p>				



ITEM 410.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
<p>2. To ensure that state funding provided to localities operating police departments does not supplant local funding for public safety services, all localities shall annually certify to the Department of Criminal Justice Services the amount of funding provided by the locality to support public safety services and that the funding provided in this item was used to supplement that local funding. This certification shall be provided in such manner and on such date as determined by the department. The department shall provide this information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 30 days following the submission of the local certifications.</p> <p>D. The Director of the Department of Criminal Justice Services is authorized to withhold reimbursements due a locality under Title 9.1, Chapter 1, Article 8, Code of Virginia, upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by the locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the superintendent that the data is accurate, the director shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.</p> <p>E. The Director of the Department of Criminal Justice Services is authorized to withhold reimbursements due to a locality under Title 9.1, Chapter 1, Article 8, Code of Virginia, upon notification from the Superintendent of State Police that there is reason to believe the police department within a locality is not registering sex offenders as required in § 9.1-903, Code of Virginia. Upon subsequent notification by the Superintendent that the local law enforcement agency is compliant with the requirements of § 9.1-903, Code of Virginia, the Director shall make reimbursement of withheld funding due to the locality in the same fiscal year in which the local law enforcement agency comes into compliance.</p>					
411.	Administrative and Support Services (39900).....			\$4,534,670	\$4,360,670
	General Management and Direction (39901).....	\$1,209,886	\$1,009,886		
	Information Technology Services (39902).....	\$1,423,788	\$1,423,788		
	Accounting and Budgeting Services (39903).....	\$1,900,996	\$1,926,996		
	Fund Sources: General.....	\$4,183,697	\$4,009,697		
	Special.....	\$350,973	\$350,973		
<p>Authority: Title 9.1, Chapter 1, Code of Virginia.</p> <p>Out of the amounts appropriated for this item is \$200,000 the first year from the general fund as one-time support to alleviate hardship expenses for the families of the two officers who lost their lives during the February 2022 Bridgewater College shooting incident.</p>					
Total for Department of Criminal Justice Services...				<b>\$420,914,546</b>	<b>\$425,126,629</b>
	General Fund Positions.....	99.50	101.50		
	Nongeneral Fund Positions.....	83.50	81.50		
	Position Level.....	183.00	183.00		
	Fund Sources: General.....	\$312,335,652	\$316,547,735		
	Special.....	\$10,498,796	\$10,498,796		
	Trust and Agency.....	\$4,298,130	\$4,298,130		
	Dedicated Special Revenue.....	\$13,605,820	\$13,605,820		
	Federal Trust.....	\$80,176,148	\$80,176,148		
<b>§ 1-115. DEPARTMENT OF EMERGENCY MANAGEMENT (127)</b>					
412.	Emergency Preparedness (77500).....			\$32,477,735	\$32,290,835
	Financial Assistance for Emergency Management and Response (77501).....	\$20,370,257	\$20,370,257		
	Emergency Training and Exercises (77502).....	\$4,223,650	\$3,923,952		
	Emergency Planning Preparedness Assistance (77503).....	\$3,198,391	\$3,198,391		
	Emergency Preparedness and Response (77504).....	\$2,779,130	\$2,891,928		
	Emergency Management Regional Coordination (77506).....	\$1,906,307	\$1,906,307		

ITEM 412.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$6,887,369	\$6,700,469		
Special.....	\$1,932,635	\$1,932,635		
Federal Trust.....	\$23,657,731	\$23,657,731		
<p>Authority: Title 44, Chapters 3.2, 3.3, 3.4, §§ 44-146.13 through 44-146.28:1 and 44-146.31 through 44-146.40, Code of Virginia.</p> <p>A. Included within this appropriation is the continuation of \$160,810 the first year and \$160,810 the second year from the Fire Programs Fund to support the department's hazardous materials training program.</p> <p>B. This appropriation includes \$500,000 in the first year and \$500,000 in the second year from the general fund for the Department of Emergency Management to conduct multidisciplinary training, regional training and exercises related to man-made and natural disaster preparedness, including training consistent with the National Incident Management System (NIMS). Training shall involve, but is not to be limited to, local and state law enforcement, fire services, emergency medical services, public health agencies, and affected private and nonprofit entities, including colleges and universities. Training may be conducted with a state, local or federal agency or agencies having the capability or responsibility to coordinate or assist in emergency preparedness.</p> <p>C.1. The Virginia Department of Emergency Management is directed to identify, review and maintain a comprehensive list of state owned supplies, equipment, commodities, and other resources that may be required in the event of state shelter activation and coordinate the use of such state assets and resources in support of shelter activation.</p> <p>2. Notwithstanding any other provision of law, the State Coordinator, in consultation with all affected state agencies, shall review all statewide plans related to state shelters, including but not limited to plans developed by the Department of Social Services, institutions of higher education, and all other state agencies. The State Coordinator is responsible for ensuring all plans support a comprehensive and uniform approach to emergency response, are regularly updated, and are aligned with the Commonwealth of Virginia Emergency Operations Plan.</p> <p>3. Following receipt of procurement orders from the Department of Social Services, pursuant to Item 349, paragraph B of this act, the Virginia Department of Emergency Management shall be responsible for all logistics functions as outlined in the Commonwealth of Virginia Emergency Operations Plan in support of emergency response and recovery related to state shelter activation, including but not limited to tracking and monitoring; personnel assistance; managing of resources; and delivery of equipment, goods and services to state activated shelters. The Department shall perform these logistics functions in coordination with all other state agencies, local government, federal government, and private sector partners.</p> <p>D. Out of this appropriation, \$2,500,000 the first year and \$2,500,000 the second year from the general fund shall be transferred to the Emergency Shelter Upgrade Assistance Fund, created pursuant to Senate Bill 350 of the 2020 General Assembly, to aid local governments in proactively preparing for emergency sheltering situations.</p> <p>E. Out of this appropriation, \$96,000 the first year and \$96,000 the second year from the general fund to establish the Partners in Preparedness Program.</p>				
413. Emergency Response and Recovery (77600).....			\$33,396,273	\$25,321,972
Emergency Response and Recovery Services (77601).....	\$3,024,997	\$3,024,997		
Financial Assistance for Emergency Response and Recovery (77602).....	\$20,189,470	\$20,189,470		
Emergency Response Direct Support (77603).....	\$102,604	\$102,604		
Disaster Recovery Services (77604).....	\$10,079,202	\$2,004,901		
Fund Sources: General.....	\$8,740,599	\$666,298		
Special.....	\$306,340	\$306,340		
Commonwealth Transportation.....	\$1,295,713	\$1,295,713		
Federal Trust.....	\$23,053,621	\$23,053,621		

Authority: Title 44, Chapters 3.2 through 3.5, §§ 44-146.17, 44-146.18(c), 44-146.22, 44-

ITEM 413.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
146.28(a) Code of Virginia.				
<p>A. Subject to authorization by the Governor, the Department of Emergency Management may employ persons to assist in response and recovery operations for emergencies or disasters declared either by the President of the United States or by the Governor of Virginia. Such employees shall be compensated solely with funds authorized by the Governor or the federal government for the emergency, disaster, or other specific event for which their employment was authorized. The Director, Department of Planning and Budget, is authorized to increase the agency's position level based on the number of positions approved by the Governor.</p>				
<p>B. The Secretary of Finance, consistent with any Executive Order signed by the Governor, may provide the department anticipation loans in such amounts as may be needed to appropriately reimburse localities and state agencies for costs associated with Emergency Management Assistance Compact (EMAC) mission assignments. Such loans shall be based on the reimbursements anticipated under the Emergency Management Assistance Compact (EMAC) and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months.</p>				
<p>C.1. Localities receiving reimbursements from the Department of Emergency Management for Emergency Management Assistance Compact (EMAC) mission costs shall reimburse the Department of Emergency Management for any overpayments within sixty (60) days of written notification of such overpayment.</p>				
<p>2. Overpayment amounts shall be based on the difference between the amount reimbursed to the locality by the Department of Emergency Management and the amount reimbursed to the Department of Emergency Management by the state requesting emergency aid under the Compact.</p>				
<p>3. If the locality does not reimburse the Department of Emergency Management the overpaid amount within sixty (60) days of being notified, the Comptroller is authorized to withhold from any funds to be transferred to the locality the amount overpaid to the locality and transfer such withheld funds to the Department of Emergency Management.</p>				
<p>D. Consistent with any Executive Order signed by the Governor, the Secretary of Finance or his designee may provide the Department of Emergency Management anticipation loans in such amounts as may be needed to appropriately reimburse the Department for disaster related costs. Such loans shall be based on the federal reimbursements anticipated in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months, if necessary.</p>				
<p>E. Out of this appropriation, \$8,074,301 the first year from the general fund is provided for coordinating response and recovery efforts related to the COVID-19 pandemic, including but not limited to covering the cost of the state share of COVID-19 related expenses, including the Hazard Mitigation Grant Program for the COVID-19 disaster, as required by the Federal Emergency Management Agency (FEMA), and for the pandemic response purposes listed below:</p>				
<p>1. \$1,087,635 the first year is provided for warehouse operations, storage, and distribution of personal protective equipment (PPE) to fulfill requests received through the Virginia Emergency Support Team and the Unified Command;</p>				
<p>2. \$865,000 the first year is provided for continuing operations of the Joint Information Center including coordinating communications and broadcasting official press conferences;</p>				
<p>3. Prior to obligating the appropriation, except for expenses related to subparagraphs 1 and 2 of this Item, the Department shall develop a detailed plan for expenditures of these funds and must request approval from the Governor related to all other COVID-19 pandemic response efforts, including the costs of the state share as required by FEMA.</p>				
<p>4. The Department shall maintain sufficient records and documentation to report the specific use of these funds. No later than August 15 of each year, the department shall report the use of these funds along with an estimate of the proposed use of the remaining</p>				

ITEM 413.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
funding and any additional funds that may be required to respond to the COVID-19 pandemic to the Governor, the Chairperson of the House Appropriations Committee, the Chairperson of the Senate Finance and Appropriations Committee, and the Director of the Department of Planning and Budget.				
414.	Virginia Emergency Operations Center (77800).....		\$4,022,015	\$4,037,417
	Emergency Communications and Warning Point (77801).....	\$4,022,015	\$4,037,417	
	Fund Sources: General.....	\$1,907,882	\$1,907,882	
	Special.....	\$1,289,164	\$1,304,566	
	Federal Trust.....	\$824,969	\$824,969	
Authority: Title 44 and § 52-47, Code of Virginia.				
A. Included within this appropriation is \$424,874 the first year and \$424,874 the second year from the general fund to support the Integrated Flood Observation and Warning System (IFLOWS) program.				
B. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund is provided for evaluating, upgrading, and maintaining the Integrated Flood Observation and Warning System (IFLOWS).				
415.	Administrative and Support Services (79900).....		\$11,869,423	\$11,900,089
	General Management and Direction (79901).....	\$4,851,332	\$4,881,998	
	Information Technology Services (79902).....	\$3,876,441	\$3,876,441	
	Accounting and Budgeting Services (79903).....	\$1,801,173	\$1,801,173	
	Public Information Services (79919).....	\$324,705	\$324,705	
	Telecommunications (79930).....	\$1,015,772	\$1,015,772	
	Fund Sources: General.....	\$4,569,539	\$4,600,205	
	Special.....	\$419,481	\$419,481	
	Commonwealth Transportation.....	\$63,762	\$63,762	
	Federal Trust.....	\$6,816,641	\$6,816,641	

Authority: Title 44, Chapters 3.2, 3.3, 3.4, Code of Virginia.

A.1. By September 1 of each year, the State Coordinator of Emergency Management shall assess emergencies and disasters that have been authorized sum sufficient funding by the Governor and provide to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees written justification to support continuing sum sufficient funding longer than one year for a locally declared emergency (or disaster), three years for a state declared disaster, and five years for a nationally declared disaster. At the same time, the state coordinator shall identify any disasters that can be closed due to fulfillment of the state's obligations.

2. The Department shall report on annual disaster expenditures and contracting. The report shall at minimum i) specify by event and state agency or locality, the amount spent per year from the Disaster Recovery Fund separate from any other state, local, federal or private contributions; ii) identify any Federal Emergency Management Agency (FEMA) reimbursements received during the previous fiscal year, itemizing for which event such reimbursements were made; iii) any contracts executed during a disaster and the expenditures and purposes for which they were executed. The State Coordinator shall provide the report to the Governor; Director, Department of Planning and Budget; and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1 of each year.

B.1. Localities and eligible private non-profit organizations that have received cost reimbursement through state and/or federal assistance programs to support homeland security and eligible recovery and mitigation projects and initiatives associated with disaster events, that are subsequently notified that either a portion or all of the funds provided are to be returned, shall reimburse the Virginia Department of Emergency Management for such overpayments, including any interest accrued on such funds, within sixty (60) days of being notified and receiving the request for reimbursement.

ITEM 415.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>2. Overpayment amounts shall be based on the difference between the amount reimbursed or prepaid to the entity involved by the Department of Emergency Management and the final amount approved by the granting agency. Localities and eligible private non-profit organizations shall certify that no interest was earned on overpaid funds if no interest is included in the remittance.</p> <p>3. If the entity does not reimburse the Virginia Department of Emergency Management within 60 days of being notified, the Comptroller is authorized to withhold the amount of overpayment from any eligible funds to be transferred to the locality or organization and redirect the funds withheld to the Virginia Department of Emergency Management to satisfy the outstanding liability.</p> <p>4. The Department of Emergency Management shall not provide future prepayments to any locality or eligible private non-profit organization once the Comptroller has been required to withhold funding.</p> <p>C. Included within this appropriation is \$570,901 the first year and \$570,901 the second year from the general fund that shall only be used for costs associated with transforming the agency's information systems to conform with standards of the Virginia Information Technologies Agency.</p> <p>D. Out of this appropriation, \$218,775 the first year and \$281,240 the second year from the general fund is included for the financing costs of purchasing vehicles through the state's master equipment lease purchase program. It is the intent that the Department of Emergency Management establish a schedule for replacing emergency response vehicles using the master equipment lease purchase program.</p> <p>E. Included in this appropriation is \$90,000 in the first year and \$90,000 in the second year from the general fund to support regional satellite communications used by the agency in the event of an emergency.</p> <p>F. Included in this appropriation is \$42,000 the first year and \$42,000 the second year from the general fund to replace radios for regional coordinators, hazardous materials officers, disaster response and recovery officers, and other regional staff. The radios shall be inter-operable with the State Agencies Radio System (STARS), and shall be acquired through the master equipment lease program.</p>				
416.	<p>A. All funds transferred to the Department of Emergency Management pursuant to the Governor's authority under § 44-146.28, Code of Virginia, shall be deposited into a special fund account to be used only for Disaster Recovery.</p> <p>B. Included in the Federal Trust appropriation are amounts estimated at \$34,592 the first year and \$34,592 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited to the general fund.</p>			
417.	<p>Information Systems Management and Direction (71100).....</p> <p>Geographic Information Access Services (71105)....</p> <p>Fund Sources: Dedicated Special Revenue.....</p>		<p>\$2,755,882</p> <p>\$2,755,882</p> <p>\$2,755,882</p>	<p>\$2,755,882</p> <p>\$2,755,882</p>
<p>Authority: Title 2.2, Chapter 20.1, Code of Virginia.</p> <p>A.1. All state and nonstate agencies receiving an appropriation in Part 1 shall comply with the guidelines and related procedures issued by Department of Emergency Management for effective management of geographic information systems in the Commonwealth.</p> <p>2. All state and nonstate agencies identified in paragraph A.1. that have a geographic information system, shall assist the department by providing any requested information on the systems including current and planned expenditures and activities, and acquired resources.</p> <p>3. The State Corporation Commission, the Virginia Employment Commission, the</p>				

ITEM 417.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

Department of Game and Inland Fisheries, and other nongeneral fund agencies are encouraged to use their own fund sources for the acquisition of hardware and development of data for the spatial data library in the Virginia Geographic Information Network.

B. The Department of Emergency Management, through its Geographic Information Network Division (VGIN), or its counterpart, shall acquire on a four-year cycle high-resolution digital orthophotography of the land base of Virginia pursuant to VGIN's Virginia Base Mapping Program (VBMP) and digital road centerline files. VGIN shall administer the maintenance of the VBMP and appropriate addressing and standardized attribution in collaboration with local governments. All digital orthophotography, Digital Terrain Models and ancillary data produced by the VBMP, but not including digital road centerline files, shall be the property of the Commonwealth of Virginia and administered by VGIN. The VGIN, or its counterpart, will be responsible for protecting the data through appropriate license agreements and establishing appropriate terms, conditions, charges and any limitations on use of the data. VGIN will license the data at no charge (other than media / transfer costs) to Virginia governmental entities or their agents. Such data shall not be subject to release by such entities under the Freedom of Information Act or similar laws. VGIN in its discretion may release certain data by posting to the Internet. Distribution of the data for commercial or private use or to users outside the Commonwealth will be the sole responsibility of VGIN or its agent(s) and shall require payment of a license fee to be determined by VGIN. All fees collected as a result will be added to the GIS Fund as established in the Code of Virginia § 44-146.18:7. Collected fees and grants are hereby appropriated for future data updates or to cover the costs of existing digital ortho acquisition or for other purposes authorized in § 44-146.18:7.

C. Funding in this item shall be used to support the efforts of the Virginia Geographic Information Network which provides for the development and use of spatial data to support E-911 wireless activities in partnership with Enhanced Emergency Communications Services. Funding is to be earmarked for major updates of the VBMP and digital road centerline files.

D. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$1,750,000 the first year and \$1,750,000 the second year from Emergency Response Systems Development Technology Services dedicated special revenue shall be used to support the efforts of the Virginia Geographic Information Network, or its counterpart, for providing the development and use of spatial data to support E-911 wireless activities in partnership with Enhanced Emergency Communications Services.

418.	Emergency Response Systems Development Technology Services (71200).....			\$23,006,035	\$23,006,035
	Emergency Communication Systems Development Services (71201).....	\$7,029,427	\$7,029,427		
	Financial Assistance to Localities for Enhanced Emergency Communications Services (71202).....	\$10,984,640	\$10,984,640		
	Financial Assistance to Service Providers for Enhanced Emergency Communications Services (71203).....	\$4,991,968	\$4,991,968		
	Fund Sources: Dedicated Special Revenue.....	\$23,006,035	\$23,006,035		

Authority: Title 2.2, Chapter 20.1, and Title 56, Chapter 15, Code of Virginia.

A.1.a. Out of the amounts for Emergency Communication Systems Development Services, \$1,000,000 the first year and \$1,000,000 the second year from dedicated special revenue shall be used for development and deployment of improvements to the statewide E-911 network.

b. These funds shall remain unallotted until their expenditure has been approved by the Wireless E-911 Services Board.

2. Out of the amounts for Emergency Communication Systems Development Services, \$4,000,000 the first year and \$4,000,000 the second year from dedicated special revenue shall be used for wireless E-911 service costs as determined by the Wireless E-911 Services Board.

B. The operating expenses, administrative costs, and salaries of the employees of the Public Safety Communications Division shall be paid from the Wireless E-911 Fund created pursuant to § 56-484.17.

ITEM 418.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>C. During next generation 911 service planning and deployment, the 911 Services Board may reimburse a provider for its wireless E-911 CMRS costs, in lieu of reimbursing the provider's costs to deliver 911 calls to the ESInet points of interconnection pursuant to § 56-484.17(D), Code of Virginia. The 911 Services Board may establish the process, criteria, and duration for such reimbursement of CMRS costs but shall continue to ensure that necessary 911 service and ESInet objectives are achieved.</p>				
			<b>\$107,527,363</b>	<b>\$99,312,230</b>
	Total for Department of Emergency Management....			
	General Fund Positions.....	69.85	73.85	
	Nongeneral Fund Positions.....	159.15	155.15	
	Position Level.....	229.00	229.00	
	Fund Sources: General.....	\$22,105,389	\$13,874,854	
	Special.....	\$3,947,620	\$3,963,022	
	Commonwealth Transportation.....	\$1,359,475	\$1,359,475	
	Dedicated Special Revenue.....	\$25,761,917	\$25,761,917	
	Federal Trust.....	\$54,352,962	\$54,352,962	
<b>§ 1-116. DEPARTMENT OF FIRE PROGRAMS (960)</b>				
419.	Fire Training and Technical Support Services (74400).....		\$10,899,622	\$10,899,622
	Fire Services Management and Coordination (74401).....	\$4,768,034	\$4,768,034	
	Virginia Fire Services Research (74402).....	\$302,274	\$302,274	
	Fire Services Training and Professional Development (74403).....	\$4,114,054	\$4,114,054	
	Technical Assistance and Consultation Services (74404).....	\$675,132	\$675,132	
	Emergency Operational Response Services (74405).....	\$107,073	\$107,073	
	Public Fire and Life Safety Educational Services (74406).....	\$933,055	\$933,055	
	Fund Sources: Special.....	\$10,899,622	\$10,899,622	
<p>Authority: Title 9.1, Chapter 2 and § 38.2-401, Code of Virginia.</p> <p>A. Notwithstanding the provisions of § 38.2-401, Code of Virginia, up to 25 percent of the revenue available from the Fire Programs Fund, after making the distributions set out in § 38.2-401 D, Code of Virginia, may be used by the Department of Fire Programs to pay for the administrative costs of all activities assigned to it by law.</p> <p>B. Included in the amounts appropriated for this item is \$123,100 the first year and \$123,100 the second year from the Fire Programs Fund to implement a modular training program for volunteer firefighters in accordance with House Bill 729 of the 2018 Session of the General Assembly.</p>				
420.	Financial Assistance for Fire Services Programs (76400).....		\$35,435,644	\$35,435,644
	Fire Programs Fund Distribution (76401).....	\$32,110,644	\$32,110,644	
	Live Fire Training Structure Grant (76402).....	\$2,500,000	\$2,500,000	
	Categorical Grants (76403).....	\$825,000	\$825,000	
	Fund Sources: Special.....	\$35,185,644	\$35,185,644	
	Federal Trust.....	\$250,000	\$250,000	
<p>Authority: §§ 38.2-401, Code of Virginia.</p>				
421.	Regulation of Structure Safety (56200).....		\$3,395,720	\$3,395,720
	State Fire Prevention Code Administration (56203)	\$3,395,720	\$3,395,720	
	Fund Sources: General.....	\$2,835,598	\$2,835,598	
	Special.....	\$560,122	\$560,122	

ITEM 421.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Authority: §§ 9.1-201, 9.1-206, and 27-94 through 27-99, Code of Virginia.				
The State Fire Marshal may charge no fee for any permits or inspections of any school, whether it be public or private.				
Total for Department of Fire Programs.....			<b>\$49,730,986</b>	<b>\$49,730,986</b>
General Fund Positions.....	29.25	29.25		
Nongeneral Fund Positions.....	52.75	52.75		
Position Level.....	82.00	82.00		
Fund Sources: General.....	\$2,835,598	\$2,835,598		
Special.....	\$46,645,388	\$46,645,388		
Federal Trust.....	\$250,000	\$250,000		

**§ 1-117. DEPARTMENT OF FORENSIC SCIENCE (778)**

422. Law Enforcement Scientific Support Services (30900).....			\$59,127,378	\$58,320,478
Biological Analysis Services (30901).....	\$14,487,439	\$14,487,439		
Chemical Analysis Services (30902).....	\$14,465,511	\$14,465,511		
Toxicology Services (30903).....	\$12,453,980	\$11,647,080		
Physical Evidence Services (30904).....	\$9,688,531	\$9,688,531		
Training Services (30905).....	\$590,966	\$590,966		
Administrative Services (30906).....	\$7,440,951	\$7,440,951		
Fund Sources: General.....	\$56,446,890	\$55,639,990		
Federal Trust.....	\$2,680,488	\$2,680,488		

Authority: §§ 9.1-1100 through 9.1-1113, Code of Virginia.

A. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Forensic Science shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

B.1. The Forensic Science Board shall ensure that all individuals who were convicted due to criminal investigations, for which its case files for the years between 1973 and 1988 were found to contain evidence possibly suitable for DNA testing, are informed that such evidence exists and is available for testing. To effectuate this requirement, the Board shall prepare two form letters, one sent to each person whose evidence was tested, and one sent to each person whose evidence was not tested. Copies of each such letter shall be sent to the Chair of the Forensic Science Board and to the respective Chairs of the House Committee for Courts of Justice and the Senate Judiciary Committee. The Department of Corrections shall assist the board in effectuating this requirement by providing the addresses for all such persons to whom letters shall be sent, whether currently incarcerated, on probation, or on parole. In cases where the current address of the person cannot be ascertained, the Department of Corrections shall provide the last known address. The Chair of the Forensic Science Board shall report on the progress of this notification process at each meeting of the Forensic Science Board.

2. Upon a request pursuant to the Virginia Freedom of Information Act for a certificate of analysis that has been issued in connection with the Post Conviction DNA Testing Program and that reflects that a convicted person's DNA profile was not indicated on items of evidence tested, the Department of Forensic Science shall make available for inspection and copying such requested record after all personal and identifying information about the victims, their family members, and consensual partners has been redacted, except where disclosure of the information contained therein is expressly prohibited by law or the Commonwealth's Attorney to whom the certificate was issued states that the certificate is critical to an ongoing active investigation and that disclosure jeopardizes the investigation.

C. Out of the appropriation for this Item, \$403,250 the first year and \$403,250 the second year from the general fund is provided for the ongoing financing costs of scientific equipment in the toxicology, controlled substances, breath alcohol, and DNA sections through the state's master equipment lease purchase program.



ITEM 422.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
D. Included in the appropriation for this item is \$144,336 each year from the general fund for the estimated costs of materials needed for the additional DNA testing required pursuant to Chapters 543 and 544 of the 2018 Session of the General Assembly.				
E. Notwithstanding § 9.1-1101.1, Code of Virginia, the Department of Forensic Science shall not enter into contracts or agreements for forensic laboratory services that i) require additional general fund resources for laboratory services that can otherwise be procured at lower costs, or ii) impose additional regulatory burdens on the staff of the Department to implement.				
F. Included in the appropriation for this item is \$641,200 the first year and \$641,200 the second year from the general fund for four additional toxicology positions and associated equipment and supplies to support the Department's tetrahydrocannabinol (THC) data collection initiative. Of the four positions, no fewer than one shall be assigned to the Western Laboratory in the City of Roanoke.				
Total for Department of Forensic Science.....			<b>\$59,127,378</b>	<b>\$58,320,478</b>
General Fund Positions.....			341.00	341.00
Nongeneral Fund Positions.....			14.00	14.00
Position Level.....			355.00	355.00
Fund Sources: General.....			\$56,446,890	\$55,639,990
Federal Trust.....			\$2,680,488	\$2,680,488

**§ 1-118. DEPARTMENT OF JUVENILE JUSTICE (777)**

423.	Instruction (19700).....		\$15,954,828	\$15,954,828
	Youth Instructional Services (19711).....	\$9,614,758	\$9,614,758	
	Career and Technical Instructional Services for Youth and Adult Schools (19712).....	\$2,690,137	\$2,690,137	
	Instructional Leadership and Support Services (19714).....	\$3,649,933	\$3,649,933	
	Fund Sources: General.....	\$13,386,761	\$13,386,761	
	Special.....	\$181,288	\$181,288	
	Federal Trust.....	\$2,386,779	\$2,386,779	
Authority: § 66-13.1, Code of Virginia.				
424.	Operation of Community Residential and Nonresidential Services (35000).....		\$3,320,293	\$3,320,293
	Community Residential and Non-residential Custody and Treatment Services (35008).....	\$3,320,293	\$3,320,293	
	Fund Sources: General.....	\$3,247,866	\$3,247,866	
	Special.....	\$50,000	\$50,000	
	Federal Trust.....	\$22,427	\$22,427	

Authority: §§ 16.1-246 through 16.1-258, 16.1-286, 16.1-291 through 16.1-295, 66-13, 66-14, 66-22 and 66-24, Code of Virginia.

A. Services funded out of this appropriation may include intensive supervision, day treatment, boot camp, and aftercare services, and should be integrated into existing services for juveniles.

B. Included in the appropriation for this Item is \$2,920,000 in the first year and \$2,920,000 in the second year from the general fund for a Juvenile Community Placement Program, in which the department may contract with local juvenile detention centers to house juveniles committed to the department prior to their release. The funding provided shall support a minimum of 40 juvenile detention center beds. The department shall develop program guidelines that at a minimum will include which juveniles qualify for placement, length of stay, level of security, mental health services, alcohol and substance abuse services, as well as other services that will be provided to the juvenile while in the detention center.

ITEM 424.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
425.	Supervision of Offenders and Re-entry Services (35100).....		\$69,178,106	\$71,167,932
	\$13,621,115	\$13,621,115		
	\$44,613,540	\$46,603,366		
	\$8,085,438	\$8,085,438		
	\$2,858,013	\$2,858,013		
	\$68,296,157	\$70,285,983		
	\$145,000	\$145,000		
	\$736,949	\$736,949		

Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-294, 16.1-322.1 and 66-14, Code of Virginia.

A. Notwithstanding the provisions of § 16.1-273 of the Code of Virginia, the Department of Juvenile Justice, including locally-operated court services units, shall not be required to provide drug screening and assessment services in conjunction with investigations ordered by the courts.

B. Included in the appropriation for this Item is \$1,626,575 in the first year and \$1,626,575 in the second year from the general fund to support mental health and substance abuse evaluation and treatment services for juveniles under state probation or parole. Out of this item, up to \$325,315 each year may be used for the provision of inpatient mental health treatment by private providers for residents committed to the Department and found to be in need of mental health treatment pursuant to § 66-20 of the Code of Virginia. The department shall develop a plan to ensure continuation of mental health and substance abuse treatment services, including contracting with local providers as necessary.

C. Included in the appropriation for this Item is \$240,000 in the first year and \$240,000 in the second year from the general fund that shall be used for emergency housing upon release from department custody. The department shall develop guidelines which at a minimum includes a juvenile selection process for placement and maximum lengths of stay.

426.	Financial Assistance to Local Governments for Juvenile Justice Services (36000).....		\$52,320,514	\$52,320,514
	\$37,352,256	\$37,352,256		
	\$4,138,720	\$4,138,720		
	\$10,829,538	\$10,829,538		
	\$50,510,835	\$50,510,835		
	\$1,809,679	\$1,809,679		

Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-322.1 and 66-14, Code of Virginia.

A. From July 1, 2022 to June 30, 2024, the Board of Juvenile Justice shall not approve or commit additional funds for the state share of the cost of construction, enlargement or renovation of local or regional detention centers, group homes or related facilities. The board may grant exceptions only to address emergency maintenance projects needed to resolve immediate life safety issues. For such emergency projects, approval by both the Board of Juvenile Justice and the Secretary of Public Safety and Homeland Security is required. Any emergency projects must also comply with Board of Juvenile Justice standards.

B. Each emergency resolution adopted by the Board of Juvenile Justice approving reimbursement of the state share of the cost of construction, maintenance, or operation of local or regional detention centers, group homes, or related facilities or programs shall include a statement noting that such approval is subject to the availability of funds and approval by the General Assembly at its next regular session.

C. The Department of Juvenile Justice shall reimburse localities, pursuant to § 66-15, Code of Virginia, at the rate of \$50 per day for housing juveniles who have been committed to the department, for each day after the department has received a valid commitment order and

ITEM 426.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

other pertinent information as required by § 16.1-287, Code of Virginia.

D. Notwithstanding the provisions of § 16.1-322.1 of the Code of Virginia, the department shall apportion to localities the amounts appropriated in this Item.

E.1. The appropriation for Financial Assistance for Community Based Alternative Treatment Services includes \$10,379,926 the first year and \$10,379,926 the second year from the general fund for the implementation of the financial assistance provisions of the Juvenile Community Crime Control Act (VJCCCA), §§ 16.1-309.2 through 16.1-309.10, Code of Virginia. Notwithstanding § 16.1-309.6, Code of Virginia, localities participating in this program and contributing through their local match an amount of local funds which is greater than they receive from the Commonwealth under this program are authorized, but not required, to provide a contribution greater than the state general fund contribution. In no case shall their local match be less than their state share.

2. Notwithstanding the provisions of §§ 16.1-309.2 through 16.1-309.10, Code of Virginia, the Board of Juvenile Justice shall establish guidelines for use in determining the types of programs for which VJCCCA funding may be expended. The department shall establish a format to receive biennial or annual requests for funding from localities, based on these guidelines. For each program requested, the plan shall document the need for the program, goals, and measurable objectives, and a budget for the proposed expenditure of these funds and any other resources to be committed by localities.

3.a. Notwithstanding the provisions of § 16.1-309.7 B, Code of Virginia, unobligated VJCCCA funds must be returned to the department by each grantee locality no later than October 1 of the fiscal year following the fiscal year in which they were received, or a similar amount may be withheld from the current fiscal year's periodic payments designated by the department for that locality. The Director, Department of Planning and Budget, may increase the general fund appropriation for this Item up to the amount of unobligated VJCCCA funds returned to the Department of Juvenile Justice.

b. All such unobligated and reappropriated balances shall be used by the department for the purpose of awarding short-term supplementary grants to localities, for programs and services which have been demonstrated to improve outcomes, including reduced recidivism, of juvenile offenders. Such programs and services must augment and support current VJCCCA-funded programs within each affected locality. The grantee locality shall submit an outcomes report to the department, in accord with a written memorandum of agreement which shall accompany the supplementary grant award. This provision shall apply to funds obligated to and in the possession of the department and its grant recipients. The entity which returns unobligated funds under this provision shall not have a presumptive entitlement to a supplementary grant.

c. The Department of Juvenile Justice, with the assistance of the Department of Corrections, the Virginia Council on Juvenile Detention, juvenile court service unit directors, juvenile and domestic relations district court judges, and juvenile justice advocacy groups, shall provide a report on the types of programs supported by the Juvenile Community Crime Control Act and whether the youth participating in such programs are statistically less likely to be arrested, adjudicated or convicted, or incarcerated for either misdemeanors or crimes that would otherwise be considered felonies if committed by an adult.

F. The department shall consolidate the annual reporting requirements in §§ 2.2-222 and 66-13 and in Chapters 755 and 914 of the 1996 Acts of the General Assembly concerning juvenile offender demographics. The consolidated annual report shall address the progress of Virginia Juvenile Community Crime Control Act programs including the requirements in Article 12.1 of Chapter 11 of Title 16.1 (§ 16.1-309.2 et seq.) relating to the number of juveniles served, the average cost for residential and nonresidential services, the number of employees, and descriptions of the contracts entered into by localities. Notwithstanding any other provisions of the Code of Virginia, the consolidated report shall be submitted to the Governor, the General Assembly, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget by the first day of the regular General Assembly session.

ITEM 427.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
427. Operation of Secure Correctional Facilities (39800)....			\$77,528,354	\$78,199,898
Juvenile Corrections Center Management (39801).....	\$2,668,230	\$4,839,774		
Food Services - Prisons (39807).....	\$3,074,590	\$3,074,590		
Medical and Clinical Services - Prisons (39810).....	\$8,409,121	\$8,409,121		
Physical Plant Services - Prisons (39815).....	\$8,008,019	\$6,508,019		
Offender Classification and Time Computation Services (39830).....	\$1,342,859	\$1,342,859		
Juvenile Supervision and Management Services (39831).....	\$46,946,327	\$46,946,327		
Juvenile Rehabilitation and Treatment Services (39832).....	\$7,079,208	\$7,079,208		
Fund Sources: General.....	\$74,264,999	\$74,936,543		
Special.....	\$1,670,067	\$1,670,067		
Dedicated Special Revenue.....	\$48,000	\$48,000		
Federal Trust.....	\$1,545,288	\$1,545,288		

Authority: §§ 16.1-278.8, 16.1-285.1, 66-13, 66-16, 66-18, 66-19, 66-22 and 66-25.1, Code of Virginia.

A. The Department of Juvenile Justice shall retain all funds paid for the support of children committed to the department to be used for the security, care, and treatment of said children.

B.1. The Director, Department of Juvenile Justice, (the “Department”) shall develop a transformation plan to provide more effective and efficient services for juveniles, using data-based decision-making, that improves outcomes and safely reduces the number of juveniles housed in state-operated juvenile correctional centers, consistent with public safety. To accomplish these objectives, the Department will provide, when appropriate, alternative placements and services for juveniles committed to the Department that offer treatment, supervision and programs that meet the levels of risk and need, as identified by the Department's risk and needs assessment instruments, for each juvenile placed in such placements or programs. Prior to implementation, the plan shall be approved by the Secretary of Public Safety and Homeland Security.

2. The Department shall reallocate any savings from the reduced cost of operating state juvenile correctional centers to support the goals of the transformation plan including, but not limited to: (a) increasing the number of male and female local placement options, and post-dispositional treatment programs and services; (b) ensuring that appropriate placements and treatment programs are available across all regions of the Commonwealth; and (c) providing appropriate levels of educational, career readiness, rehabilitative, and mental health services for these juveniles in state, regional, or local programs and facilities, including but not limited to, community placement programs, independent living programs, and group homes. The goals of such transformation services shall be to reduce the risks for reoffending for juveniles supervised or committed to the Department and to improve and promote the skills and resiliencies necessary for the juveniles to lead successful lives in their communities.

3. No later than November 1 of each year, the Department of Juvenile Justice shall provide a report to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Public Safety and Homeland Security and the Director, Department of Planning and Budget, assessing the impact and results of the transformation plan and its related actions. The report shall include, but is not limited to, assessing juvenile offender recidivism rates, fiscal and operational impact on detention homes; changes (if any) in commitment orders by the courts; and use of the savings redirected as a result of transformation, including the amount expended for contracted programs and treatment services, including the number of juveniles receiving each specific service. The report should also include the average length of stay for juveniles in each placement option.

4. The Director, Department of Planning and Budget, is authorized to transfer appropriations between items and programs within the Department of Juvenile Justice to reallocate any savings achieved through transformation to accomplish the goals of transformation.

5. If the Department of Juvenile Justice deems it necessary, due to facility population decline, efficient use of resources, and the need to further reduce recidivism, to close a state juvenile

ITEM 427.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>correctional center, the Department shall (i) work cooperatively with the affected localities to minimize the effect of the closure on those communities and their residents, and (ii) implement a general closure plan, preferably not less than 12 months from announcement of the closure, to create opportunities to place affected state employees in existing departmental vacancies, assist affected employees with placement in other state agencies, create training opportunities for affected employees to increase their qualifications for additional positions, and safely reduce the population of the facility facing closure, consistent with public safety.</p> <p>C.1. Included in the appropriation for this Item is \$1,500,000 the first year from the general fund for security camera upgrades, external lighting, walk-through detection system, perimeter fencing upgrades, and a man-down communication system to enhance security at the Bon Air Juvenile Correctional Center.</p> <p>2. In procuring any new security systems or components for the existing facility at Bon Air from such funds available in this Item, the Department shall consider ways to reuse the system procured in a future facility. To that end, the Department shall work with the Department of General Services to plan for reuse of a previously acquired security system in any future new facility constructed, to the extent feasible.</p>				
428.	Administrative and Support Services (39900).....		\$21,980,675	\$21,980,675
	General Management and Direction (39901).....	\$3,182,080		\$3,182,080
	Information Technology Services (39902).....	\$6,311,244		\$6,311,244
	Accounting and Budgeting Services (39903).....	\$5,288,477		\$5,288,477
	Architectural and Engineering Services (39904).....	\$660,073		\$660,073
	Food and Dietary Services (39907).....	\$305,127		\$305,127
	Human Resources Services (39914).....	\$4,041,530		\$4,041,530
	Planning and Evaluation Services (39916).....	\$2,192,144		\$2,192,144
	Fund Sources: General.....	\$20,504,798		\$20,504,798
	Special.....	\$979,387		\$979,387
	Federal Trust.....	\$496,490		\$496,490
	Authority: §§ 66-3 and 66-13, Code of Virginia.			
	A.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Director, Department of Juvenile Justice, shall implement the recommendations relating to the Department of Juvenile Justice 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 amounts appropriated for this item is \$112,200 the first year and \$112,200 the second year from nongeneral funds and two positions.			
	B. The Department of Juvenile Justice shall conduct a review of staffing levels, including vacancies, rates of staff turnover and recruitment statistics, employment conditions, employee health and safety, and employee compensation at the Department. The review shall include an analysis of the impact reductions in census levels have on the Department's staffing requirements. The Department shall deliver a report containing such data and information to the Governor and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by October 1, 2022.			
	Total for Department of Juvenile Justice.....		<b>\$240,282,770</b>	<b>\$242,944,140</b>
	General Fund Positions.....	2,149.50		2,149.50
	Nongeneral Fund Positions.....	22.00		22.00
	Position Level.....	2,171.50		2,171.50
	Fund Sources: General.....	\$230,211,416		\$232,872,786
	Special.....	\$3,025,742		\$3,025,742
	Dedicated Special Revenue.....	\$48,000		\$48,000
	Federal Trust.....	\$6,997,612		\$6,997,612

ITEM 428.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
<b>§ 1-119. DEPARTMENT OF STATE POLICE (156)</b>					
429.	Information Technology Systems, Telecommunications and Records Management (30200).....			\$99,733,179	\$97,757,865
	Information Technology Systems and Planning (30201).....	\$25,927,868	\$25,929,102		
	Criminal Justice Information Services (30203).....	\$25,605,042	\$23,616,151		
	Telecommunications and Statewide Agencies Radio System (STARS) (30204).....	\$20,292,653	\$20,295,122		
	Firearms Purchase Program (30206).....	\$2,991,926	\$2,992,543		
	Sex Offender Registry Program (30207).....	\$12,145,333	\$12,153,973		
	Concealed Weapons Program (30208).....	\$335,139	\$335,139		
	Dispatch and Telecommunications Support (30209)...	\$12,435,218	\$12,435,835		
	Fund Sources: General.....	\$82,582,430	\$80,607,116		
	Special.....	\$11,169,898	\$11,169,898		
	Dedicated Special Revenue.....	\$3,716,561	\$3,716,561		
	Federal Trust.....	\$2,264,290	\$2,264,290		

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 Chairs of the House Appropriations and Senate Finance and Appropriations 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. Notwithstanding the provisions of §§ 19.2-386.14, 38.2-415, 46.2-1167 and 52-4.3, Code

ITEM 429.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>3. The Department of State Police shall, upon request, provide to the Department of Health 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, 19.2-182.2 and 64.2-2014, Code of Virginia, to enable the Department of Health to link the data held pursuant to those provisions with other relevant data held by the Commonwealth. Once received, the Department of Health will provide the linked data to the Department of Juvenile Justice for de-identification and 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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>L. Included in the amounts provided for in this Item is \$500,000 the first year for project management costs to upgrade the STARS system. This amount shall not be allotted until the project management costs are determined to be ineligible costs for a bond-funded capital project.</p>				
<p>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.</p>				

ITEM 429.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
N. Included in the amounts appropriated in this item is \$1,479,302 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.				
O. Included in the appropriation for this Item is \$5,209,045 the first year and \$5,209,045 the second year from the general fund to implement Phase I transformation of select components of the department's information technology in order to comply with §2.2-2011 of the Code of Virginia.				
P. Included in the appropriation for this item is \$438,464 the first year and \$438,464 the second year from the general fund and four positions for the ongoing costs of operating an automatic expungement process pursuant to legislation adopted by the 2021 Session of the General Assembly.				
Q. Out of this appropriation, \$301,194 the first year and \$301,194 the second year from the general fund is provided to the Department of State Police for three positions for cold case investigators to support efforts to resolve such cases.				
430. Law Enforcement and Highway Safety Services (31000).....			\$347,672,543	\$348,183,778
Aviation Operations (31001).....	\$9,948,381	\$9,957,638		
Commercial Vehicle Enforcement (31002).....	\$5,930,267	\$5,934,588		
Counter-Terrorism (31003).....	\$7,346,931	\$7,372,851		
Help Eliminate Auto Theft (HEAT) (31004).....	\$2,405,658	\$2,407,510		
Drug Enforcement (31005).....	\$27,530,193	\$27,608,573		
Crime Investigation and Intelligence Services (31006).....	\$46,028,272	\$45,552,663		
Uniform Patrol Services (Highway Patrol) (31007)....	\$212,021,142	\$212,780,253		
Insurance Fraud Program (31009).....	\$7,833,119	\$7,846,697		
Vehicle Safety Inspections (31010).....	\$27,558,144	\$27,635,289		
Sex Offender Registry Program Enforcement (31011).....	\$1,070,436	\$1,087,716		
Fund Sources: General.....	\$272,380,548	\$272,891,783		
Special.....	\$44,135,983	\$44,135,983		
Commonwealth Transportation.....	\$9,179,045	\$9,179,045		
Dedicated Special Revenue.....	\$12,605,342	\$12,605,342		
Federal Trust.....	\$9,371,625	\$9,371,625		

Authority: §§ 27-56, 33.2-1726, 46.2-1157 through 46.2-1187, 52-1, 52-4, 52-4.2, 52-4.3, 52-8, 52-8.1, 52-8.2, 52-8.4 and 56-334, Code of Virginia.

A. Included in this appropriation is \$810,687 the first year and \$810,687 the second year from Commonwealth Transportation Funds for the personal and associated nonpersonal services costs for eight positions. These positions will be dedicated to patrolling the I-95/395/495 Interchange.

B. Included in this appropriation is \$4,831,625 the first year and \$4,831,625 the second year from the Commonwealth Transportation Fund to support enforcement operations at weigh stations statewide.

C. Included in this appropriation is \$1,631,282 the first year and \$1,631,282 the second year from Commonwealth Transportation Funds that shall be used to support the personal and associated nonpersonal services costs for trooper positions. These positions will be assigned to the "Highway Safety Corridors" and work to supplement the Department of State Police's enforcement efforts in those corridors.

D. The Department of State Police shall modify the implementation of the division of drug law enforcement established pursuant to § 52-8.1:1, Code of Virginia, and shall redirect, as may be necessary, resources heretofore provided for that purpose by the General Assembly for the purposes of homeland security, the gathering of intelligence on terrorist activities, the preparation for response to a terrorist attack and any other activity determined by the



ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Governor to be crucial to strengthening the preparedness of the Commonwealth against the threat of natural disasters and emergencies. Nothing in this Item shall be construed to prohibit the Department of State Police from performing drug law enforcement or investigation as otherwise provided for by the Code of Virginia.</p>				
<p>E. Included within this appropriation is \$3,098,098 the first year and \$3,098,098 the second year from the Rescue Squad Assistance Fund to support the department's aviation (med-flight) operations.</p>				
<p>F. Included within this appropriation is \$450,000 the first year and \$450,000 the second year from the general fund, which shall be provided to the County of Chesterfield for use in funding the paramedics assigned to the Department of State Police for aviation (med-flight) operations, and for related med-flight expenses.</p>				
<p>G. In the event that special fund revenues for this Item exceed expenditures, the balance of such revenues may be used for air medical evacuation equipment improvements, information technology upgrades or for motor vehicle replacement.</p>				
<p>H. Included in this appropriation is \$110,000 the first year and \$110,000 the second year from the general fund to maintain increased traffic enforcement on Interstate 81. These funds shall be used to provide overtime payments for extended and additional work shifts so as to maintain the enhanced level of State Police patrols on this and other public highways in the Commonwealth.</p>				
<p>I.1. The department shall coordinate monitoring and verification activities related to registry requirements with other state and local law enforcement agencies that have responsibility for monitoring or supervising individuals who are also required to comply with the requirements of the Sex Offender Registry.</p>				
<p>2. The Secretary of Public Safety and Homeland Security, in conjunction with the Superintendent of State Police, shall report on the implementation of the monitoring of offenders required to comply with the Sex Offender Registry requirements. The report shall include at a minimum: (1) the number of verifications conducted; (2) the number of investigations of violations; (3) the status of coordination with other state and local law enforcement agencies activities to monitor Sex Offender Registry requirements; and (4) an update of the sex offender registration and monitoring section in the department's current "Manpower Augmentation Study." This report shall be provided to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees each year by January 1.</p>				
<p>J. Included within this appropriation is \$15,500,000 the first year and \$15,500,000 the second year from nongeneral funds to be used by the Department of State Police to record expenditures related to law enforcement activity that is performed for other entities and is billed and recorded as revenue, which may not be received until the following fiscal year. The Department of Accounts shall establish a revenue code and fund detail for this revenue.</p>				
<p>K. Included within this appropriation is \$100,000 the first year and \$100,000 the second year from the general fund for the Department of State Police to enhance its capabilities in recruiting minority troopers. Funding is to support increased marketing and advertising efforts for recruiting minorities.</p>				
<p>L. Included within this appropriation is \$116,988 the first year and \$116,988 the second year from the Department of Aviation's special fund to support the aviation operations of the Department of State Police.</p>				
<p>M.1. Out of the amounts appropriated for this Item, \$1,450,000 the first year and \$1,450,000 the second year from nongeneral funds shall be distributed to the department to expand the operations of the Northern Virginia Internet Crimes Against Children Task Force.</p>				
<p>2. Pursuant to paragraph H.2 of Item 408, the Northern Virginia Internet Crimes Against Children Task Force shall provide a report on the actual expenditures and performance results achieved each year. Copies of this report shall be provided each year to the Secretary of Public Safety and Homeland Security and the Chairs of the House</p>				

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Appropriations and Senate Finance and Appropriations Committees by October 1.				
N. Out of the appropriation for this Item, \$3,406,365 the first year and \$3,406,365 the second year from the general fund is continued for the ongoing financing costs of purchasing four helicopters through the state's master equipment lease purchase program.				
O. Effective July 1, 2015, the Superintendent of State Police shall provide training to all local law enforcement agencies on the proper method to register and re-register persons required to be registered with the Sex Offender and Crimes Against Minors Registry. Should the Superintendent have reason to believe that any local law enforcement agency is not registering sex offenders as required by § 9.1-903, Code of Virginia, the Superintendent shall notify the local law enforcement agency, as well as the Executive Secretary of the Compensation Board and the Director of the Department of Criminal Justice Services.				
P. Included in this appropriation for this item is \$1,129,554 the first year and \$1,129,554 the second year from the general fund to establish the second Special Operations Division, which shall serve the Sixth Division. Positions from the Sixth Division that are transferred into the Special Operations Sixth Division shall be backfilled in the Sixth Division.				
Q. Included in this appropriation is \$103,470 each year from the general fund for the Department of State Police to hire an aviation mechanic for the Fourth Aviation Division in Abingdon.				
R. Included in this appropriation is \$7,177,484 the first year and \$7,177,484 the second year from the general fund as supplemental funding to the base funding for patrol vehicle replacement due to the increased costs associated with new replacement vehicles.				
S. Included in this appropriation is \$2,170,965 the first year and \$1,573,157 the second year from the general fund to establish the Office of the Gaming Enforcement Coordinator and regional support consistent with the provisions of § 52-54 and § 18.2-340.35, Code of Virginia.				
431.	Administrative and Support Services (39900).....		\$34,223,743	\$36,240,014
	General Management and Direction (39901).....	\$9,533,807		\$11,522,923
	Accounting and Budgeting Services (39903).....	\$2,325,316		\$2,326,550
	Human Resources Services (39914).....	\$3,001,511		\$3,002,745
	Physical Plant Services (39915).....	\$7,536,571		\$7,536,571
	Procurement and Distribution Services (39918).....	\$3,095,749		\$3,096,366
	Training Academy (39929).....	\$7,982,531		\$8,006,601
	Cafeteria (39931).....	\$748,258		\$748,258
	Fund Sources: General.....	\$33,431,677		\$35,447,948
	Special.....	\$756,310		\$756,310
	Dedicated Special Revenue.....	\$35,756		\$35,756

Authority: §§ 52-1 and 52-4, Code of Virginia.

A. The Superintendent of State Police shall establish written procedures for the timely and accurate electronic reporting of crime data reported to the Department of State Police in accordance with the provisions of § 52-28, Code of Virginia. The procedures shall require the principal officer of the reporting organization to certify that the information provided is, to his knowledge and belief, a true and accurate report. Should the superintendent have reason to believe that any crime data is missing, incomplete or incorrect after audit of the data, the superintendent shall notify the reporting organization, as well as the Chairman of the Compensation Board and the Director, Department of Criminal Justice Services. Upon receiving and verifying resubmitted data that corrects the report, the superintendent shall notify the Chairman of the Compensation Board and the Director, Department of Criminal Justice Services that the missing, incomplete or incorrect data has been satisfactorily submitted.

B.1. The Department of State Police is authorized to charge other law enforcement agencies a fee for the use of the Virginia State Police Blackstone Training Facility related to training activities. The fee structure and subsequent changes must be reviewed and approved by the Secretary of Public Safety and Homeland Security. The Department shall deposit any moneys

ITEM 431.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

received from such fees into the Virginia State Police Blackstone Training Facility Fund.

2. The State Comptroller shall continue the Virginia State Police Blackstone Training Facility Fund on the books of the Commonwealth. Interest earned on the moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of the fiscal year shall not revert to the general fund but shall remain in the Fund. The Department of State Police shall utilize the revenue deposited in the Fund to (1) maintain and repair facilities at the Virginia State Police Blackstone Training Facility, and (2) acquire, maintain, repair or replace equipment at the Virginia State Police Blackstone Training Facility.

C. Included within the appropriation for this item is \$278,976 the first year and \$278,976 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, \$65,207 the first year and \$65,207 the second year for operational support for the positions, including information technology expenses, furniture, and shipping expenses.

D. Included in this appropriation is \$1,000,000 the first year and \$1,000,000 the second year from the general fund for the Department to provide training to state and local law enforcement officers in Drug Recognition Expert techniques.

E. Included in the Department's budget is \$21,656,250 the first year and \$24,806,250 the second year from the general fund to support a compensation plan to address pay compression, recruitment, and retention of sworn employees effective July 10, 2022. The Department shall report on the allocation of these funds and their effectiveness in addressing the workforce challenges identified by the workgroup under Chapter 1, Virginia Acts of Assembly, 2021 Special Session II. The report shall detail the number of vacancies, identify and report on specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of vacancies, and discuss other ongoing efforts implemented by the Department to recruit and retain qualified and diverse law enforcement personnel. A report shall be submitted to the Governor, the Chair of the House Appropriations Committee, the Chair of the Senate Finance and Appropriations Committee, the Director of the Department of Human Resource Management, and the Director of the Department of Planning and Budget, no later than October 15, 2023.

432. All revenue received from the sale of motor vehicles shall be reported separately from that received from the sale of other property of the department.

Total for Department of State Police.....			<b>\$481,629,465</b>	<b>\$482,181,657</b>
General Fund Positions.....	2,674.00	2,674.00		
Nongeneral Fund Positions.....	397.00	397.00		
Position Level.....	3,071.00	3,071.00		
Fund Sources: General.....	\$388,394,655	\$388,946,847		
Special.....	\$56,062,191	\$56,062,191		
Commonwealth Transportation.....	\$9,179,045	\$9,179,045		
Dedicated Special Revenue.....	\$16,357,659	\$16,357,659		
Federal Trust.....	\$11,635,915	\$11,635,915		

**§ 1-120. VIRGINIA PAROLE BOARD (766)**

433. Probation and Parole Determination (35200).....			\$2,733,835	\$2,733,835
Adult Probation and Parole Services (35201).....	\$2,733,835	\$2,733,835		
Fund Sources: General.....	\$2,683,835	\$2,683,835		
Federal Trust.....	\$50,000	\$50,000		

Authority: Title 53.1, Chapter 4, Code of Virginia.

Notwithstanding the provisions of § 53.1-40.01, Code of Virginia, the Parole Board shall annually consider for conditional release those inmates who meet the criteria for

ITEM 433.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
conditional geriatric release set out in § 53.1-40.01, Code of Virginia, except that upon any such review the Board may schedule the next review as many as three years thereafter. If any such inmate is also eligible for discretionary parole under the provisions of § 53.1-151 et seq., Code of Virginia, the board shall not be required to consider that inmate for conditional geriatric release unless the inmate petitions the board for conditional geriatric release.				
Total for Virginia Parole Board.....			<b>\$2,733,835</b>	<b>\$2,733,835</b>
General Fund Positions.....	15.00	15.00		
Position Level.....	15.00	15.00		
Fund Sources: General.....	\$2,683,835	\$2,683,835		
Federal Trust.....	\$50,000	\$50,000		
<b>TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.....</b>			<b>\$3,875,692,814</b>	<b>\$3,936,309,518</b>
General Fund Positions.....	18,335.10	18,514.10		
Nongeneral Fund Positions.....	2,612.90	2,657.90		
Position Level.....	20,948.00	21,172.00		
Fund Sources: General.....	\$2,445,757,226	\$2,451,848,420		
Special.....	\$185,536,186	\$185,551,588		
Commonwealth Transportation.....	\$10,538,520	\$10,538,520		
Enterprise.....	\$1,011,463,193	\$1,065,973,301		
Trust and Agency.....	\$4,298,130	\$4,298,130		
Dedicated Special Revenue.....	\$58,624,033	\$58,624,033		
Federal Trust.....	\$159,475,526	\$159,475,526		

ITEM 434.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**OFFICE OF TRANSPORTATION**

**§ 1-121. SECRETARY OF TRANSPORTATION (186)**

434.	Administrative and Support Services (79900).....			\$1,023,114	\$1,023,114
	General Management and Direction (79901).....	\$1,023,114	\$1,023,114		
	Fund Sources: Commonwealth Transportation.....	\$1,023,114	\$1,023,114		

Authority: Title 2.2, Chapter 2, Article 10, § 2.2-201, and Titles 33, 46, and 58, Code of Virginia.

A. The transportation policy goals enumerated in this act shall be implemented by the Secretary of Transportation, including the secretary acting as Chairman of the Commonwealth Transportation Board.

1. The maintenance of existing transportation assets to ensure the safety of the public shall be the first priority in budgeting, allocation, and spending. The highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

2. It is in the interest of the Commonwealth to have an efficient and cost-effective transportation system that promotes economic development and all modes of transportation, intermodal connectivity, environmental quality, accessibility for people and freight, and transportation safety. The planning, development, construction, and operations of Virginia's transportation facilities will reflect this goal.

3. To the greatest extent possible, the appropriation of transportation revenues shall reflect planned spending of such revenues by agency and by program.

B. The maximization of all federal transportation funds available to the Commonwealth shall be paramount in the budgetary, spending, and allocation processes.

1. Notwithstanding any provision of law to the contrary, the secretary and all agencies within the transportation secretariat are hereby authorized to take all actions necessary to ensure that federal transportation funds are allocated and utilized for the maximum benefit of the Commonwealth, whether such actions or funds or both are authorized under P.L. 117-58 of the 117th Congress, or any successor or related federal transportation legislation, or regulation, rule, or guidance issued by the U.S. Department of Transportation or any federal agency. The secretary and agencies within the transportation secretariat shall utilize, to the maximum extent practicable, the flexibility provided in federal law, regulation, rule, or guidance to use federal funds in a manner consistent with the Code of Virginia. However, neither the secretary nor an agency in the transportation secretariat may materially delay a project selected pursuant to § 33.2-214.1, Code of Virginia, under the authority in this paragraph.

2. The secretary shall ensure that the allocation of transportation funds apportioned and for which obligation authority is expected to be available under federal law shall be in accordance with such laws and in support of the transportation policy goals enumerated in section A. of this Item. Furthermore, the secretary is authorized to take all actions necessary to allocate the required match for federal highway funds to ensure their appropriate and timely obligation and expenditure within the fiscal constraints of state transportation revenues and in support of the efforts addressed in B.1. By June 1 of each year, the secretary, as Chairman of the Board, shall report to the Governor and General Assembly on the allocation of such federal transportation funds and the actions taken to provide the required match.

3. The board shall only make allocations providing the required match for federal Regional Surface Transportation Block Grant Program funds to those Metropolitan Planning Organizations in urbanized areas greater than 200,000 that, in consultation with the Office of Intermodal Planning and Investment, have developed regional transportation and land use performance measures pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly and have been approved by the board.

ITEM 434.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
4. Projects funded, in whole or part, from federal funds referred to as congestion mitigation and air quality improvement, shall be selected as directed by the board. Such funds shall be federally obligated within 12 months of their allocation by the board and expended within 36 months of such obligation. If the requirements included in this paragraph are not met by such agency or recipient, then the board shall use such federal funds for any other project eligible under 23 USC 149.				
5. Funds made available to the Metropolitan Planning Organizations known as the Regional Surface Transportation Block Grant Program for urbanized areas greater than 200,000 shall be federally obligated within 12 months of their allocation by the board and expended within 36 months of such obligation. If the requirements included in this paragraph are not met by the recipient, then the board may rescind the required match for such federal funds.				
6. Notwithstanding paragraph B.2. of this Item, the required matching funds for Transportation Alternatives projects are to be provided by the project sponsor of the federal-aid funding.				
7. Federal transportation funds as well as the required state matching funds may be allocated by the Commonwealth Transportation Board for transit purposes under the same rules and conditions authorized by federal law in a manner consistent with the Code of Virginia. The Commonwealth Transportation Board, in consultation with the appropriate local and regional entities, may allocate state revenues to local and regional public transit operators, for operating and/or capital purposes.				
8. If a regional area (or areas) of the Commonwealth is determined to be not in compliance with Clean Air Act rules regarding conformity and as a result federal and/or state allocations, apportionments or obligations cannot be used to fund or support transportation projects or programs in that area, such funds may be used to finance demand management, conformity, and congestion mitigation projects to the extent allowed by federal law. Any remaining amount of such allocations, apportionments, or obligations shall be set aside to the extent possible under law for use in that regional area.				
9. Appropriations in this act related to federal revenues outlined in this section may be adjusted by the Director, Department of Planning and Budget, upon request from the Secretary of Transportation, as needed to utilize and allocate additional federal funds that may become available.				
10. The secretary shall ensure that any bonds issued pursuant to Article 4, Chapter 15 of Title 33.2 shall be programmed to eligible projects selected and funded through the High Priority Projects Program pursuant to § 33.2-370 or the Construction District Grant Program pursuant to §33.2-371. In any year such bond proceeds are allocated to one or both of the programs, the secretary shall take all necessary action to ensure that each program is provided with the same overall amount of monies though the mix of bond proceeds, state revenues, and federal revenues provided to each program may vary as deemed appropriate by the secretary.				
11. The Commonwealth Transportation Board, with the assistance of the Virginia Department of Transportation, shall develop a plan for the allocation of funds made available through a bridge replacement, rehabilitation, preservation, protection and construction program established pursuant to the Infrastructure Investment and Jobs Act. Such plan shall include (i) an investment strategy that provides for long-term sustainable performance of the Commonwealth's bridges, (ii) allocation of funds without regard to whether a structure is state-maintained or locally-maintained, and (iii) be developed considering the investment strategy and outcomes of the comprehensive review of pavements and bridges submitted to the Governor and General Assembly pursuant to the second enactment of Chapters 83 and 349 of the 2019 Acts of Assembly.				
12. The Commonwealth Transportation Board shall develop a plan for the use of funds made available through the National Electric Vehicle Formula Program established by the Infrastructure Investment and Jobs Act by the deadline established by the United States Secretary of Transportation. The plan shall consider designated national electric vehicle charging corridors, opportunities to partner with private parties, and other factors included in federal guidance for such program.				
C. The secretary may ensure that appropriate action is taken to maintain a minimum cash				

ITEM 434.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

balance and/or cash reserve in the Highway Maintenance and Operating Fund.

D.1. The Office of Intermodal Planning and Investment shall recommend to the Commonwealth Transportation Board all allocations of funds made available in subsections A. and B. of Item 451. The planning and evaluation may be conducted or managed by the Department of Transportation, Department of Rail and Public Transportation, or another qualified entity selected and/or approved by the Commonwealth Transportation Board.

2. The office shall be responsible for implementing the statewide prioritization processes pursuant to §§ 33.2-214.1 and 33.2-372 for the Commonwealth Transportation Board.

3. The office shall work directly with affected Metropolitan Planning Organizations to develop and implement quantifiable and achievable goals relating to congestion reduction and safety, transit and HOV usage, job/housing ratios, job and housing access to transit and pedestrian facilities, air quality, and/or per-capita vehicle miles traveled pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly.

4. For allocation of funds under Paragraph 1, the office may give a higher priority for planning grants to (i) regional organizations to analyze various land development scenarios for their long range transportation plans, (ii) local governments to revise their comprehensive plans and other applicable local ordinances to designate urban development areas pursuant to Chapter 896 of the 2007 Acts of Assembly and incorporate the principles included in such act, and (iii) local governments, regional organizations, transit agencies and other appropriate entities to develop plans for transit oriented development and the expansion of transit service. Such analyses, plans, and ordinances shall be shared with the regional planning district commission or metropolitan planning organization and the Commonwealth Transportation Board.

E.1. The Commonwealth Transportation Board is hereby authorized to apply for, execute, and/or endorse applications submitted by private entities or political subdivision of the Commonwealth to obtain federal credit assistance for one or more qualifying transportation infrastructure projects or facilities to be developed pursuant to the Public-Private Transportation Act of 1995, as amended. Any such application, agreement and/or endorsement shall not financially obligate the Commonwealth or be construed to implicate the credit of the Commonwealth as security for any such federal credit assistance.

2. The Commonwealth Transportation Board is hereby authorized to pursue or otherwise apply for, and execute, an agreement to obtain financing using a federal credit instrument for project financings otherwise authorized by this Act or other Acts of Assembly.

F. Revenues generated pursuant to the provisions of § 58.1-3221.3, Code of Virginia, shall only be used to supplement, not supplant, any local funds provided for transportation programs within the localities authorized to impose the fees under the provisions of § 58.1-3221.3, Code of Virginia.

G. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds which were authorized in a prior fiscal year but not issued, pursuant to Section 2 of Enactment Clause 2 of Chapter 896 of the 2007 General Assembly Session.

H. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Federal Transportation Grant Anticipation Revenue Notes.

I. All revenues generated under Chapter 896 of the Acts of Assembly of 2007 (HB 3202) and Chapter 766 of the Acts of Assembly of 2013 (HB 2313), Chapters 837 and 846 of the 2019 Acts of Assembly, and Chapters 1230 and 1275 of the 2020 Acts of Assembly that were dedicated to transportation-related funds have been appropriated in conformity with the requirements of those respective chapters.

J. Notwithstanding § 33.2-502, Code of Virginia, the high-occupancy requirement for a HOT lane facility that is constructed as a result of the Public-Private Transportation Act (§ 33.2-1800 et. seq.) (i) with an initial construction cost in excess of \$3 billion and whose

ITEM 434.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
operation, maintenance, or financing is not a result of the same comprehensive agreement that resulted in the facility's construction shall be not less than two, or (ii) that is located on the same Interstate corridor and partially located within the same urbanized areas.				
K. It is the intent of the General Assembly that state funds in the Commonwealth Transportation Fund and federal funds provided on a recurring, non-one-time basis, for surface transportation be distributed and allocated at the discretion of the entities responsible for such funds based on the policy direction and requirements set forth in the Code of Virginia.				
L. Notwithstanding the provisions of § 33.2-3603, Code of Virginia, the I-81 Advisory Committee shall be required to meet at a minimum of two times a year, with additional meetings called at the discretion of the Chair.				
Total for Secretary of Transportation.....			<b>\$1,023,114</b>	<b>\$1,023,114</b>
Nongeneral Fund Positions.....			6.00	6.00
Position Level.....			6.00	6.00
Fund Sources: Commonwealth Transportation.....			\$1,023,114	\$1,023,114

**§ 1-122. VIRGINIA COMMERCIAL SPACE FLIGHT AUTHORITY (509)**

435.	Space Flight Support Services (60800).....		\$23,380,866	\$21,848,572
	Maintenance and Operation of Space Flight Facilities (60801).....	\$23,380,866	\$21,848,572	
	Fund Sources: Commonwealth Transportation.....	\$23,380,866	\$21,848,572	
Authority: Title 2.2, Chapter 22, Code of Virginia.				
Total for Virginia Commercial Space Flight Authority.....			<b>\$23,380,866</b>	<b>\$21,848,572</b>
Fund Sources: Commonwealth Transportation.....			\$23,380,866	\$21,848,572

**§ 1-123. DEPARTMENT OF AVIATION (841)**

436.	Financial Assistance for Airports (65400).....		\$32,748,695	\$32,157,020
	Financial Assistance for Airport Maintenance (65401).....	\$1,000,000	\$1,000,000	
	Financial Assistance for Airport Development (65404).....	\$30,748,695	\$30,157,020	
	Financial Assistance for Aviation Promotion (65405).....	\$1,000,000	\$1,000,000	
	Fund Sources: Commonwealth Transportation.....	\$32,748,695	\$32,157,020	

Authority: Title 5.1, Chapters 1, 3, and 5; Title 58.1, Chapter 6, Code of Virginia.

A. It is the intent of the General Assembly that the Department of Aviation match federal funds for Airport Assistance to the maximum extent possible. In furtherance of this maximization, the Commonwealth Transportation Board may request funding from the Commonwealth Airport Fund for surface transportation projects that provide airport access. The Aviation Board shall consider such requests and provide funding as it so approves. However, the legislative intent expressed herein shall not be construed to prohibit the Virginia Aviation Board from allocating funds for promotional activities in the event that federal matching funds are unavailable.

B. The department is authorized to expend up to \$400,000 the first year and \$400,000 the second year from Aviation Special Funds to support a partnership between industry, academia, and Virginia Small Aircraft Transportation System. The project shall target research efforts to promote safety and greater access for rural airports.

C. The department is authorized to pay to the Civil Air Patrol \$100,000 the first year and \$100,000 the second year from Aviation Special Funds. The provisions of § 2.2-1505, Code



ITEM 436.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

of Virginia, and § 4-5.05 of this act shall not apply to the Civil Air Patrol.

D. Out of the amounts included in this Item, \$500,000 the first year and \$500,000 the second year shall be paid to the Washington Airports Task Force.

E.1. By November 1 of each year, the Virginia Aviation Board shall report to the Governor and the General Assembly on the use of Commonwealth Airport Fund revenues allocated the previous fiscal year. The report shall include at a minimum the following: (i) the use of entitlement funds allocated by each air carrier airport, including the amount of funds that are unobligated; (ii) the award and use of discretionary funds allocated for air carrier and reliever airports by every such airport; and (iii) the award and use of discretionary funds allocated for general aviation airports by every such airport. Such report shall also include the status of ongoing projects funded in whole or in part by the Commonwealth Airport Fund pursuant to subdivision A 3 of § 58.1-638.

2. The Board shall have the right to withhold entitlement funds allocated pursuant to subdivision A 3 a of § 58.1-638 in the event that the entitlement utilization plan is not approved by the Board or the airport uses the funds in a manner that is inconsistent with the approved plan.

F. It is the intent of the General Assembly that state moneys allocated pursuant to § 33.2-1526.6 shall not be used for (i) operating costs unless otherwise approved by the Virginia Aviation Board, or (ii) purposes related to supporting the operation of an airline, either directly or indirectly, through grants, credit enhancements, or other related means.

437.	Air Transportation System Planning, Regulation, Communication and Education (65500).....			\$3,861,228	\$3,861,228
	Aviation Licensing and Regulation (65501).....	\$287,722	\$287,722		
	Aviation Communication and Education (65502)....	\$1,275,586	\$1,275,586		
	General Aviation Personnel Development (65503)..	\$26,400	\$26,400		
	Air Transportation Planning and Development (65504).....	\$2,271,520	\$2,271,520		
	Fund Sources: Commonwealth Transportation.....	\$3,155,673	\$3,155,673		
	Federal Trust.....	\$705,555	\$705,555		

Authority: Title 5.1, Chapter 1, Code of Virginia.

438.	State Aircraft Flight Operations (65600).....			\$11,112,048	\$3,512,048
	State Aircraft Operations and Maintenance (65602)				
		\$11,112,048	\$3,512,048		
	Fund Sources: General.....	\$30,246	\$30,246		
	Commonwealth Transportation.....	\$11,081,802	\$3,481,802		

Authority: Title 5.1, Chapter 1, Code of Virginia.

Pursuant to § 5.1-4 of the Code of Virginia, the Department of Aviation is authorized to purchase a jet aircraft using Aviation Special Funds to replace one existing King Air 350 aircraft. The department is directed to either trade-in or sell the King Air 350 aircraft to reduce financing requirements. Any proceeds related to a sale of the King Air 350 shall be retained by the department and used toward this purchase. Included in this item is \$8,100,000 in the first year and \$500,000 in the second year from the Aviation Special Fund to support this procurement.

439.	Administrative and Support Services (69900).....			\$2,803,043	\$2,803,043
	General Management and Direction (69901).....	\$2,803,043	\$2,803,043		
	Fund Sources: Commonwealth Transportation.....	\$2,803,043	\$2,803,043		

Authority: Title 5.1, Chapter 1, Code of Virginia.

A. The Director, Department of Aviation, shall prepare general guidelines regarding aircraft acquisition and use that shall include a requirement for state agencies to develop written policies on usage, charge rates and record-keeping. The Director shall examine the aircraft needs of state agencies and determine the most efficient and effective method of

ITEM 439.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
organizing and managing the Commonwealth's aircraft operations. The Director shall implement the aircraft management system he determines to be most suitable and revise it periodically as the need arises.				
B. The Virginia Aviation Board and the Department of Aviation may obligate funds in excess of the current biennium appropriation for aviation financial assistance programs supported by the Commonwealth Transportation Fund provided 1) sufficient cash is available to cover projected costs in each year and 2) sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.				
Total for Department of Aviation.....			<b>\$50,525,014</b>	<b>\$42,333,339</b>
Nongeneral Fund Positions.....	37.00	37.00		
Position Level.....	37.00	37.00		
Fund Sources: General.....	\$30,246	\$30,246		
Commonwealth Transportation.....	\$49,789,213	\$41,597,538		
Federal Trust.....	\$705,555	\$705,555		

**§ 1-124. DEPARTMENT OF MOTOR VEHICLES (154)**

440.	Ground Transportation Regulation (60100).....			\$219,245,172	\$218,850,722
	Customer Service Centers Operations (60101).....	\$157,777,659	\$157,383,209		
	Ground Transportation Regulation and Enforcement (60103).....	\$46,508,649	\$46,508,649		
	Motor Carrier Regulation Services (60105).....	\$14,958,864	\$14,958,864		
	Fund Sources: Commonwealth Transportation.....	\$211,798,572	\$211,404,122		
	Trust and Agency.....	\$5,446,600	\$5,446,600		
	Federal Trust.....	\$2,000,000	\$2,000,000		

Authority: Title 46.2, Chapters 1, 2, 3, 6, 8, 10, 12, 15, 16, and 17; §§ 18.2-266 through 18.2-272; Title 58.1, Chapters 21 and 24, Code of Virginia. Title 33, Chapter 4, United States Code.

A. The Department of Motor Vehicles shall work to increase the use of alternative service delivery methods, which may include offering discounts on certain transactions conducted online, as determined by the department. As part of its effort to shift customers to internet usage where applicable, the department shall not charge its customers for the use of credit cards for internet or other types of transactions; however, this restriction shall not apply with respect to any credit or debit card transactions the department conducts on behalf of another agency, provided (i) the other agency is authorized to charge customers for the use of credit or debit cards and (ii) the merchant's fees and other transaction costs imposed by the card issuer are charged to the department.

B. In order to provide citizens of the Commonwealth greater access to the Department of Motor Vehicles, the agency is authorized to enter into an agreement with any local constitutional officer or combination of officers to act as a license agent for the department, with the consent of the chief administrative officer of the constitutional officer's county or city, and to negotiate a separate compensation schedule for such office other than the schedule set out in § 46.2-205, Code of Virginia. Notwithstanding any other provision of law, any compensation due to a constitutional officer serving as a license agent shall be remitted by the department to the officer's county or city on a monthly basis, and not less than 80 percent of the sums so remitted shall be appropriated by such county or city to the office of the constitutional officer to compensate such officer for the additional work involved with processing transactions for the department. Funds appropriated to the constitutional office for such work shall not be used to supplant existing local funding for such office, nor to reduce the local share of the Compensation Board-approved budget for such office below the level established pursuant to general law.

C. The base compensation for DMV Select Agents shall be set at 4.5 percent of gross collections for the first \$500,000 and 5.0 percent of all gross collections in excess of \$500,000 made by the entity during each fiscal year on such state taxes and fees in place as a matter of

ITEM 440.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>law. The commissioner shall supply the agents with all necessary agency forms to provide services to the public, and shall cause to be paid all freight and postage, but shall not be responsible for any extra clerk hire or other business-related expenses or business equipment expenses occasioned by their duties.</p>				
<p>D. Out of the amounts identified in this Item, an amount estimated at \$372,873 the first year and \$372,873 the second year from the Commonwealth Transportation Fund shall be paid to the Washington Metropolitan Area Transit Commission.</p>				
<p>E.1. Notwithstanding any other provision of law, the department shall assess a minimum fee of \$15 for all titles. The revenue generated from this fee shall be set aside to meet the expenses of the department.</p>				
<p>2. Notwithstanding any other provision of law, the department shall assess a \$10 late fee on all registration renewal transactions that occur after the expiration date. The late fee shall not apply to those exceptions granted under § 46.2-221.4, Code of Virginia. In assessing the late renewal fee the department shall provide a ten day grace period for transactions conducted by mail to allow for administrative processing. This grace period shall not apply to registration renewals for vehicles registered under the International Registration Plan. The revenue generated from this fee shall be set aside to meet the expenses of the department.</p>				
<p>3. Notwithstanding any other provision of law, the department shall establish a \$20 minimum fee for original driver's licenses and replacements. The revenue generated from this fee shall be set aside to meet the expenses of the department.</p>				
<p>F. The Department of Motor Vehicles is hereby granted approval to renew or extend existing capital leases due to expire during the current biennium for existing customer service centers.</p>				
<p>G. The Department of Motor Vehicles is hereby appropriated revenues from the additional sales tax on fuel in certain transportation districts to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-2295, Code of Virginia.</p>				
<p>H. The Department of Motor Vehicles is hereby granted approval to distribute the transactional charges of the Cardinal accounting system to state agencies, when the transactions involve funds passed through the department to the benefiting agency. This paragraph shall not pertain to Direct Aid to Public Education.</p>				
<p>I. The Department of Motor Vehicles is hereby granted approval to distribute a portion of its indirect cost allocation charge to another state agency when the charge is related to revenue collected and transferred by the department to the state agency. Such transfers shall be based on the agency's proportionate share of the department's total transactions in the immediately preceding fiscal year. The Department shall annually submit to the Department of Planning and Budget a summary of the transfer amounts and the transaction volumes used to allocate the internal cost amounts.</p>				
<p>J. Notwithstanding § 46.2-342, Code of Virginia, the Department of Motor Vehicles shall not be required to include organ donation brochures with every driver's license renewal notice or application mailed to licensed drivers.</p>				
<p>K. The Commissioner shall only refuse to issue or renew any vehicle registration pursuant to subsection L of § 46.2-819.3:1 of an operator or owner of a vehicle who has no prior resolution, whether that resolution is by settlement or conviction, for offenses under § 46.2-819.3:1 if, in addition to the conditions set forth in subsection L of § 46.2-819.3:1 for such refusal, the toll operator has offered the individual a settlement of no more than \$2,200.</p>				
<p>L. The Department is authorized to impose a \$10 surcharge on all first issuances of REAL ID compliant credentials that are acceptable for federal purposes.</p>				
<p>M. Notwithstanding § 4-2.03 of this act, the Virginia Department of Motor Vehicles shall be exempt from recovering statewide and agency indirect costs from the federal grants until an indirect cost plan can be evaluated and developed by the agency.</p>				

ITEM 440.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>N. Notwithstanding the provisions of Title 46.2 of the Code of Virginia, only entities that both (i) provide commercial motor vehicle training to the general public and (ii) are not Virginia governmental entities shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in accordance with Subparts F and G of Part 380 of Title 49 of the Code of Federal Regulations in the Commonwealth of Virginia. Such entities shall be required to comply with the provisions of Chapter 17 of Title 46.2 of the Code of Virginia. No other person as defined in § 1-230 shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in the Commonwealth.</p>				
<p>O. The Commissioner, in consultation with the Secretary of Administration and the Governor's Chief Transformation Officer, is authorized to issue a Request for Information for (i) updating customer-facing web applications; (ii) pursuing the use of artificial intelligence in day-to-day activities; (iii) the issuance of digital passports and mobile driver's licenses; (iv) improving customer service, specifically through smart phone technologies and the use of self-service kiosks; and (v) other innovative technologies to improve the overall customer experience. The Commissioner is further authorized to enter into agreements with surrounding states for the purpose of building a multi-state consortium to improve the overall customer experience across state lines.</p>				
441.	Ground Transportation System Safety Services (60500).....		\$10,377,202	\$10,377,202
	Highway Safety Services (60508).....	\$10,377,202	\$10,377,202	
	Fund Sources: Commonwealth Transportation.....	\$5,644,878	\$5,644,878	
	Federal Trust.....	\$4,732,324	\$4,732,324	
	Authority: §§ 46.2-222 through 46.2-224, Code of Virginia; Chapter 4, United States Code.			
442.	Administrative and Support Services (69900).....		\$94,388,732	\$94,388,732
	General Management and Direction (69901).....	\$51,585,816	\$51,585,816	
	Information Technology Services (69902).....	\$37,494,332	\$37,494,332	
	Facilities and Grounds Management Services (69915).....	\$5,308,584	\$5,308,584	
	Fund Sources: Commonwealth Transportation.....	\$92,051,732	\$92,051,732	
	Dedicated Special Revenue.....	\$100,000	\$100,000	
	Federal Trust.....	\$2,237,000	\$2,237,000	
	Authority: Title 46.2, Chapters 1 and 2, and § 46.2-214.3; Title 58.1, Chapters 17, 21, and 24, Code of Virginia.			
	The Department of Transportation shall reimburse the Department of Motor Vehicles for the operating costs of the Fuels Tax Evasion Program.			
	Total for Department of Motor Vehicles.....		<b>\$324,011,106</b>	<b>\$323,616,656</b>
	Nongeneral Fund Positions.....	2,225.00	2,225.00	
	Position Level.....	2,225.00	2,225.00	
	Fund Sources: Commonwealth Transportation.....	\$309,495,182	\$309,100,732	
	Trust and Agency.....	\$5,446,600	\$5,446,600	
	Dedicated Special Revenue.....	\$100,000	\$100,000	
	Federal Trust.....	\$8,969,324	\$8,969,324	
<b>Department of Motor Vehicles Transfer Payments (530)</b>				
443.	Ground Transportation System Safety Services (60500).....		\$23,255,029	\$23,255,029
	Financial Assistance for Transportation Safety (60507).....	\$23,255,029	\$23,255,029	
	Fund Sources: Federal Trust.....	\$23,255,029	\$23,255,029	
	Authority: §§ 46.2-222 through 46.2-223, Code of Virginia; Chapter 4, United States Code.			

ITEM 443.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
444.				
Financial Assistance to Localities - General (72800).....			\$109,591,500	\$109,591,500
Financial Assistance to Localities - Mobile Home Tax (72803).....	\$5,500,000	\$5,500,000		
Financial Assistance to Localities for the Disposal of Abandoned Vehicles (72814).....	\$391,500	\$391,500		
Distribution of Sales Tax on Fuel in Certain Transportation Districts (72815).....	\$103,700,000	\$103,700,000		
Fund Sources: Commonwealth Transportation.....	\$391,500	\$391,500		
Trust and Agency.....	\$5,500,000	\$5,500,000		
Dedicated Special Revenue.....	\$103,700,000	\$103,700,000		
Authority: §§ 46.2-416, 58.1-2402, and 58.1-2425, and 46.2-1200 through 46.2-1207, Code of Virginia.				
A. Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions. The amounts generated from the sales tax on fuel in certain transportation districts in this item are estimated at \$43,770,000 in the Northern Virginia Transportation Commission and \$34,930,000 in the Potomac and Rappahannock Transportation Commission in the first year and \$44,550,000 in the Northern Virginia Transportation Commission and \$35,450,000 in the Potomac and Rappahannock Transportation Commission in the second year. These estimates are listed for informational purposes only. Pursuant to § 58.1-2299.20, Code of Virginia, \$15,000,000 is transferred each year from these amounts to the Commuter Rail Operating and Capital Fund. In addition to these amounts, \$22,183,000 generated in the Northern Virginia Transportation Commission is transferred each year in Item 447 to the Washington Metropolitan Area Transit Authority Capital Fund pursuant to § 58.1-2299.20, Code of Virginia. All other funds collected pursuant to § 58.1-2291 et seq. are appropriated in Item 460.				
B. Notwithstanding any other provision of law, the Commissioner may divulge tax information collected pursuant to § 58.1-2291 et seq., Code of Virginia, to the executive director or designee of the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, the Central Virginia Transportation Authority, and the Hampton Roads Transportation Accountability Commission for their confidential use of such tax information as may be necessary to facilitate the collection of the taxes collected in the respective member jurisdictions. Any person to whom tax information is divulged pursuant to this section shall be subject to the prohibitions and penalties prescribed in § 58.1-3, Code of Virginia, as though that person were a tax official as defined in that section.				
Total for Department of Motor Vehicles Transfer Payments.....			\$132,846,529	\$132,846,529
Fund Sources: Commonwealth Transportation.....	\$391,500	\$391,500		
Trust and Agency.....	\$5,500,000	\$5,500,000		
Dedicated Special Revenue.....	\$103,700,000	\$103,700,000		
Federal Trust.....	\$23,255,029	\$23,255,029		
Grand Total for Department of Motor Vehicles.....			\$456,857,635	\$456,463,185
Nongeneral Fund Positions.....	2,225.00	2,225.00		
Position Level.....	2,225.00	2,225.00		
Fund Sources: Commonwealth Transportation.....	\$309,886,682	\$309,492,232		
Trust and Agency.....	\$10,946,600	\$10,946,600		
Dedicated Special Revenue.....	\$103,800,000	\$103,800,000		
Federal Trust.....	\$32,224,353	\$32,224,353		

ITEM 445.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
445.	Financial Assistance for Rail Programs (61000).....		\$341,267,073	\$274,075,784
	Passenger Rail Development and Operation Programs (61004).....	\$341,267,073	\$274,075,784	
	Fund Sources: Commonwealth Transportation.....	\$341,267,073	\$274,075,784	
Authority: Titles 33.2 and 58.1, Code of Virginia				
Of the funds appropriated pursuant to Chapters 1019 and 1044 of the 2000 Acts of Assembly for passenger rail capacity improvements in the I-95 passenger rail corridor between Richmond and the District of Columbia, the Virginia Passenger Rail Authority is authorized to utilize any remaining funds along the described corridor for the development of intercity passenger rail enhancements to include rail improvements and passenger station facilities.				
	Total for Virginia Passenger Rail Authority.....		<b>\$341,267,073</b>	<b>\$274,075,784</b>
	Fund Sources: Commonwealth Transportation.....	\$341,267,073	\$274,075,784	

**§ 1-126. DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (505)**

446.	Ground Transportation Planning and Research (60200).....		\$3,347,198	\$3,347,198
	Rail and Public Transportation Planning, Regulation, and Safety (60203).....	\$3,347,198	\$3,347,198	
	Fund Sources: Commonwealth Transportation.....	\$3,347,198	\$3,347,198	
Authority: Titles 33.2 and 58.1, Code of Virginia.				
447.	Financial Assistance for Public Transportation (60900).....		\$745,028,796	\$751,660,063
	Public Transportation Programs (60901).....	\$567,024,991	\$573,656,258	
	Congestion Management Programs (60902).....	\$8,741,503	\$8,741,503	
	Human Service Transportation Programs (60903).....	\$9,862,302	\$9,862,302	
	Distribution of Washington Metropolitan Area Transit Authority Capital Fund Revenues (60905).....	\$159,400,000	\$159,400,000	
	Fund Sources: Special.....	\$1,139,844	\$1,139,844	
	Commonwealth Transportation.....	\$584,488,952	\$591,120,219	
	Dedicated Special Revenue.....	\$159,400,000	\$159,400,000	

Authority: Titles 33.2 and 58.1, Code of Virginia.

A.1. Except as provided in Item 449, the Commonwealth Transportation Board shall allocate all monies in the Commonwealth Mass Transit Fund, as provided herein and in § 33.2-1526.1, Code of Virginia. The total appropriation for the Commonwealth Mass Transit Fund is estimated to be \$445,700,000 the first year and \$451,700,000 the second year from the Transportation Trust Fund. From these funds, the following estimated allocations shall be made:

a. \$111,700,000 the first year and \$101,300,000 the second year to statewide Operating Assistance as provided in § 33.2-1526.1, Code of Virginia.

b. \$52,500,000 the first year and \$67,500,000 the second year from the Commonwealth Mass Transit Fund to statewide Capital Assistance.

c. \$183,300,000 the first year and \$174,400,000 the second year from the Commonwealth Mass Transit Fund to the Northern Virginia Transportation Commission to support the operating and capital costs of the Washington Metropolitan Area Transit Authority.

d. Notwithstanding the provisions of paragraph A.1.a, A.1.b, and A.1.c of this item, prior to the annual adoption of the Six-Year Improvement Program, the Commonwealth Transportation Board may allocate funding from the Commonwealth Mass Transit Fund to implement the transit and transportation demand management improvements identified for the I-95 corridor. Such costs shall include only direct transit capital and operating costs as well as transportation demand management activities. Costs associated with additional park and ride

ITEM 447.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

lots required to be funded by the Commonwealth under the provisions of the Comprehensive Agreement for the Interstate 95 High Occupancy Toll Lanes project shall be borne by the Department of Transportation as set out in Item 452 of this act.

2. Included in this item is \$1,500,000 the first year and \$1,500,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for "paratransit" capital projects and enhanced transportation services for the elderly and disabled.

3. Included in this item is an amount estimated at \$2,000,000 the first year and \$2,000,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for federally mandated state safety oversight of fixed rail guideway transit agencies located in the Commonwealth.

4. Included in this item is \$50,000,000 the first year as provided in Chapters 854 and 856 of the 2018 Acts of Assembly and \$50,000,000 the second year from the Commonwealth Mass Transit Fund for the state match for the Passenger Rail Investment and Improvement Act (PRIIA) funding.

B. Funds from a stable and reliable source, as required in Public Law 96-184, as amended, are to be provided to Metro from payments authorized and allocated in this program and pursuant to §58.1-2295, Code of Virginia. Notwithstanding any other provision of law, funds allocated to Metro under this program may be disbursed by the Department of Rail and Public Transportation directly to Metro or to any other transportation entity that has an agreement to provide funding to Metro as deemed appropriate by the Department. In appointing the Virginia members of the board of directors of the Washington Metropolitan Area Transit Authority (WMATA), the Northern Virginia Transportation Commission shall include the Secretary of Transportation or his designee as a principal member on the WMATA board of directors.

C. All Commonwealth Mass Transit Funds appropriated for Financial Assistance for Public Transportation shall be used only for public transportation purposes as defined by the Federal Transit Administration or outlined in § 33.2-1526.1, Code of Virginia.

D. It is the intent of the General Assembly that no transit operating assistance funding, as provided in A.1.a. of this item, be used to support any new transit system or route at a level higher than such project would be eligible for under the allocation formula set out in § 33.2-1526.1 C. 1., Code of Virginia, beyond the first two years of its operation.

E. Distribution of Washington Metropolitan Area Transit Authority Capital Fund Revenues represents direct payments, of the revenue collected and deposited into the Fund, to the Washington Metropolitan Area Transit Authority for uses pursuant to Chapter 34 of Title 33.2, Code of Virginia.

448.	Financial Assistance for Rail Programs (61000).....		\$87,964,945		\$87,768,213
	Rail Industrial Access (61001).....	\$3,000,000			\$3,000,000
	Rail Preservation Programs (61002).....	\$14,523,370			\$14,523,370
	Passenger and Freight Rail Financial Assistance Programs (61003).....	\$70,441,575			\$70,244,843
	Fund Sources: Special.....	\$1,000,000			\$1,000,000
	Commonwealth Transportation.....	\$86,964,945			\$86,768,213

Authority: Title 33.2, Code of Virginia.

A. Except as provided in Item 449, the Commonwealth Transportation Board shall operate the Shortline Railway Preservation and Development program in accordance with § 33.2-1602, Code of Virginia. As determined by the board, funds apportioned pursuant to § 33.2-1526, Code of Virginia, shall be appropriated to the Shortline Railway Preservation and Development Program. Total funding appropriated to the Shortline Railway Preservation and Development Program from this source shall not exceed \$4,000,000 the first year and \$4,000,000 the second year.

B. The Commonwealth Transportation Board shall operate the Rail Industrial Access Program in accordance with § 33.2-1600, Code of Virginia. The board may allocate funds

ITEM 448.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	pursuant to § 33.2-358, Code of Virginia, to the fund for construction of industrial access railroad tracks.			
449.	Administrative and Support Services (69900).....		\$22,091,475	\$21,627,504
	General Management and Direction (69901).....	\$22,091,475	\$21,627,504	
	Fund Sources: Commonwealth Transportation.....	\$22,091,475	\$21,627,504	
	Authority: Titles 33.2 and 58.1, Code of Virginia.			
	A. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Department of Rail and Public Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.			
	B. The Commonwealth Transportation Board may allocate up to 5 percent of the revenues available each year in the funds established pursuant to §§ 33.2-1602, 33.2-1526 and revenues allocated to the Department pursuant to 33.2-1526.4 to support costs of project development, project administration and project compliance incurred by the Department of Rail and Public Transportation in implementing rail, public transportation, and congestion management programs and grants.			
	Total for Department of Rail and Public Transportation.....		<b>\$858,432,414</b>	<b>\$864,402,978</b>
	Nongeneral Fund Positions.....	72.00	72.00	
	Position Level.....	72.00	72.00	
	Fund Sources: Special.....	\$2,139,844	\$2,139,844	
	Commonwealth Transportation.....	\$696,892,570	\$702,863,134	
	Dedicated Special Revenue.....	\$159,400,000	\$159,400,000	

**§ 1-127. DEPARTMENT OF TRANSPORTATION (501)**

450.	Environmental Monitoring and Evaluation (51400)....		\$27,229,549	\$27,600,315
	Environmental Monitoring and Compliance for Highway Projects (51408).....	\$9,863,320	\$10,046,737	
	Environmental Monitoring Program Management and Direction (51409).....	\$3,693,464	\$3,783,092	
	Municipal Separate Storm Sewer System (MS4) Compliance Activities (51410).....	\$13,672,765	\$13,770,486	
	Fund Sources: Commonwealth Transportation.....	\$27,229,549	\$27,600,315	
451.	Ground Transportation Planning and Research (60200).....		\$94,878,980	\$96,749,414
	Ground Transportation System Planning (60201).....	\$80,101,802	\$81,579,422	
	Ground Transportation System Research (60202).....	\$10,464,377	\$10,620,207	
	Ground Transportation Program Management and Direction (60204).....	\$4,312,801	\$4,549,785	
	Fund Sources: Commonwealth Transportation.....	\$94,878,980	\$96,749,414	

Authority: Title 33.2, Code of Virginia.

A. Included in the amount for ground transportation system planning and research is no less than \$7,000,000 the first year and no less than \$7,000,000 the second year from the highway share of the Transportation Trust Fund for the planning and evaluation of options to address transportation needs. Included in the amounts in this item, \$50,000 the first year from the allocations to the Office of Intermodal Planning and Investment is provided for sponsorship support of the annual Mobility Talks International (MTI) Conference in January, 2023. The Director of the Office of Innovation shall actively identify and engage connected and autonomous vehicle stakeholders in the Commonwealth in order to most effectively maximize the return on investment from participation in the MTI Conference for the operation of unmanned systems throughout Virginia.

B. Notwithstanding the provisions of Chapter 729 and Chapter 733 of the 2012 Acts of



ITEM 451.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Assembly, the Commonwealth Transportation Board shall not reallocate any funds from projects on roadways controlled by any county that has withdrawn or elects to withdraw from the secondary system of state highways, nor from any roadway controlled by a city or town as part of the state's urban roadway system, based on a determination of nonconformity with the Commonwealth Transportation Board's Statewide Transportation Plan or the Six-Year Improvement Program. In jurisdictions that maintain roadways within their boundaries, the provisions of § 33.2-214, Code of Virginia, shall apply only to highways controlled by the Department of Transportation.</p>				
<p>C. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply to use of funds provided in this Item from the federal apportionments in the State Planning and Research Program.</p>				
<p>D. The Department of Transportation, with the assistance of the Virginia Institute for Marine Science, shall provide an annual update on the status of the Coastal Virginia Transportation Infrastructure Inundation Study no later than December 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, Chairs of the House and Senate Transportation Committees, Chair of the Joint Subcommittee on Coastal Flooding and Adaptation, and the Secretaries of Transportation and Natural Resources. The report shall include at a minimum: an up-to-date identification of at-risk rural, suburban and urban infrastructure, and planning and options to mitigate or eliminate the identified risks; and a report on what work remains to be completed and estimated time frame for the completion of its work.</p>				
452.	Highway Construction Programs (60300).....		\$4,374,346,266	\$4,593,972,346
	Highway Construction Program Management (60315).....	\$46,956,765		\$48,038,665
	Virginia Highway Safety Improvement Program (60317).....	\$63,800,454		\$88,582,717
	Interstate Operations and Enhancement Program (60318).....	\$219,189,678		\$218,881,273
	State of Good Repair Program (60320).....	\$407,807,470		\$424,298,806
	High Priority Projects Program (60321).....	\$446,978,496		\$416,973,407
	Construction District Grant Programs (60322).....	\$509,553,339		\$513,843,256
	Specialized State and Federal Programs (60323).....	\$2,424,943,587		\$2,628,237,745
	Legacy Construction Formula Programs (60324).....	\$255,116,477		\$255,116,477
	Fund Sources: General.....	\$51,504,000		\$110,000,000
	Commonwealth Transportation.....	\$3,647,666,793		\$3,554,925,678
	Trust and Agency.....	\$497,079,550		\$500,881,791
	Dedicated Special Revenue.....	\$178,095,923		\$428,164,877

Authority: Title 33.2, Chapter 3; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of 1989, Special Session II.

A. From the appropriation for specialized state and federal programs funds shall be distributed as follows:

1. An estimated \$115,575,647 the first year and \$117,783,238 the second year in federal state and matching funds shall be allocated for regional Surface Transportation Block Grant Funds and distributed to applicable metropolitan planning organizations pursuant to 23 USC 133;
2. An estimated \$44,338,091 the first year and \$45,224,852 the second year in federal and state matching funds shall be allocated for the Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program pursuant to 23 USC 176;
3. An estimated \$83,848,855 the first year and \$208,066,648 the second year in federal and state matching funds shall be allocated for the Congestion Mitigation Air Quality program pursuant to 23 USC 149;
4. \$197,288,735 the first year and \$208,066,648 the second year shall be allocated for the Revenue Sharing Program pursuant to § 33.2-357, Code of Virginia;

ITEM 452.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
5.	An estimated \$20,265,939 the first year and \$20,087,475 the second year in federal funds shall be allocated for the Surface Transportation Block Grant Program Set-Aside to 23 USC 133(h).			
6.	An estimated \$1,433,969,013 the first year and \$887,356,470 the second year in appropriation represents the estimated project participation costs from localities and regional entities.			
7.	\$152,200,000 the second year in this appropriation represents the bond proceeds to be used for the Route 58 Corridor Development Program.			
8.	\$15,333,333 the first year and \$15,333,333 the second year in state funds shall be allocated to the Virginia Transportation Infrastructure Bank pursuant to § 33.2-1500 et seq, Code of Virginia.			
9.	\$10,044,671 the first year and \$10,044,011 the second year in state funds shall be allocated to the Transportation Partnership Opportunity Fund pursuant to § 33.2-1529.1, Code of Virginia;			
10.	An estimated \$34,768,959 in the first year and \$35,464,338 in the second year in federal and state matching funds shall be allocated for the Carbon Reduction Program pursuant to 23 USC 175.			
B.	Notwithstanding § 33.2-358, Code of Virginia, the proceeds from the lease or sale of surplus and residue property purchased under this program in excess of related costs shall be applied to the State of Good Repair Program pursuant to § 33.2-369, Code of Virginia. Proceeds must be used on Federal Title 23 eligible projects.			
C.	The Director of the Department of Planning and Budget is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the dedicated funds and adjust items to the most recent Commonwealth Transportation Board budget.			
D.	Funds appropriated for legacy formula construction programs shall be used for the purposes enumerated in subsection C of § 33.2-358, Code of Virginia, or as previously appropriated.			
E.	Included in the amounts for specialized state and federal programs is the reappropriation of \$495,800,000 the first year and \$559,900,000 the second year from bond proceeds or dedicated special revenues for anticipated expenditure of amounts collected in prior years. The amounts will be provided from balances in the Capital Projects Revenue Bond Fund, Federal Transportation Grant Anticipation Revenue Bond Fund, Northern Virginia Transportation District Fund, State Route 28 Highway Improvement District Fund, U.S. Route 58 Corridor Development Fund, Interstate 81 Corridor Improvement Program, Interstate Operations and Enhancement Program, Concession Funds from the Interstate 95 Express Lanes and Interstate 66 Outside-the-Beltway Project Agreements and the Priority Transportation Fund. These amounts were originally appropriated when received or forecasted and are not related to estimated revenues of the current biennium.			
F.	The Director of the Department of Planning and Budget is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the Concession Payments Account to support project activities.			
G.	Included in the amounts for district grant programs is \$104,300,000 the first year and \$105,400,000 the second year from the regional fuels tax distributed pursuant to subsection E of § 58.1-2290.20.			
H.	In the instance where there is a reduction in the prescribed weight of any vehicle or combination of vehicles passing over any bridge, or bridges constituting a part of the interstate, primary, or secondary system of highways, in addition to posting signage in accordance with § 46.2-1104, Code of Virginia, the Department shall make a good faith effort to notify businesses in the surrounding area of the reduction in prescribed weight via electronic, telephone or mail as well as posting in local media in the surrounding localities. The Department shall continue to maintain an updated website, and related social media pages, and shall work with its local partners to develop an electronic communication list to			

ITEM 452.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

facilitate seamless notification of all businesses using the route for transportation purposes in the surrounding area.

I.1 Included in these amounts, \$41,500,000 the first year from the general fund is provided for the establishment of the State Trails Office within the Department of Transportation, consistent with the recommendations of the January 2022 report on the "Virginia Multi-Use Trails Initiative." In addition, the Board shall set-aside \$7,000,000 in the first year and \$7,000,000 in the second year from funds received for the Transportation Alternatives Program pursuant to 23 USC 133(h) for regional multi-use trails. Priority shall be given by the Board to new regional trails, projects to improve connectivity of existing trail networks, and geographic diversity in the use of such funds. Funds may be awarded through a competitive solicitation conducted by the Board.

2. Prior to July 15, 2022, up to \$800,000 of these amounts shall be transferred to Item 451 to support the initial operational overhead costs of establishing the State Trails Office and for the development of a State Trails Plan and State Trails Information Clearinghouse. In developing the initial State Trails Plan, the State Trails Office shall coordinate with the State Trails Advisory Committee and the Department of Conservation and Recreation to ensure consistency with the Virginia Outdoors Plan.

J. Included in these amounts, \$5,000,000 the first year from the general fund shall be transferred to Item 447 for deposit to the Transit Ridership Incentive Fund, established pursuant to § 33.2-1526.3, Code of Virginia, and consistent with the provisions of § 4-13.00 of this act, for regional connectivity programs focused on congestion reduction and mitigation through the provision of long-distance commuter routes.

K. Up to \$5,000,000 from the general fund in the first year from this item is provided for deposit to the special structures share of the Transportation Trust Fund to expedite the replacement of the Robert O. Norris Bridge.

L. Up to \$110,000,000 from the general fund in the second year shall be transferred to Item 452 to improve Interstate 64 between Exit 205 and Exit 234 with priority given to enhancements that provide long-term traffic flow improvements for the full 29-mile corridor.

453.	Highway System Maintenance and Operations (60400).....			\$2,165,233,529	\$2,087,068,806
	Interstate Maintenance (60401).....	\$507,907,362	\$479,557,220		
	Primary Maintenance (60402).....	\$804,078,408	\$738,596,407		
	Secondary Maintenance (60403).....	\$583,572,221	\$589,759,940		
	Transportation Operations Services (60404).....	\$197,580,653	\$202,805,001		
	Highway Maintenance Operations, Program Management and Direction (60405).....	\$72,094,885	\$76,350,238		
	Fund Sources: Commonwealth Transportation.....	\$2,165,233,529	\$2,087,068,806		

A. The department is authorized to enter into agreements with state and local law enforcement officials to facilitate the enforcement of high occupancy vehicle (HOV) restrictions throughout the Commonwealth and metropolitan planning regions.

B. Should federal law be changed to permit privatization of rest area operations, the department is hereby authorized to accept or solicit proposals for their development and/or operation.

C. The Director, Department of Planning and Budget, is authorized to increase the appropriation in this Item as needed to utilize amounts available from prior year balances in the dedicated funds.

D. The Commissioner's annual report pursuant to § 33.2-232, Code of Virginia, shall include an assessment of whether the department has met its secondary road pavement targets, by district and on a statewide basis.

E. Out of the amounts appropriated for this item, the Department shall authorize the fabrication and installation of highway markers and directional signs in support of the Lewis and Clark Legacy Trail during this first year of the biennium.

ITEM 453.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
454.	Statewide Special Structures (61400).....			\$80,000,000	\$81,280,000
	Statewide Special Structures - Maintenance (61402)...	\$80,000,000	\$81,280,000		
	Fund Sources: Commonwealth Transportation.....	\$80,000,000	\$81,280,000		
455.	Commonwealth Toll Facilities (60600).....			\$97,602,045	\$99,268,786
	Toll Facility Maintenance And Operation (60603).....	\$60,852,045	\$62,518,786		
	Toll Facilities Revolving Fund (60604).....	\$36,750,000	\$36,750,000		
	Fund Sources: Commonwealth Transportation.....	\$97,602,045	\$99,268,786		

Authority: §§ 33.2-1524 and 33.2-1700 through 33.2-1729, Code of Virginia.

A. Included in this Item are funds for the installation and implementation of a statewide Electronic Toll Customer Service/Violation Enforcement System.

B. The Department shall not charge a fee to customers who have a EZ Pass flex or standard transponder based on the transponder not being used or being infrequently used.

456.	Financial Assistance to Localities for Ground Transportation (60700).....			\$541,727,128	\$548,996,955
	Financial Assistance for City Road Maintenance (60701).....	\$445,796,577	\$451,642,072		
	Financial Assistance for County Road Maintenance (60702).....	\$77,627,241	\$78,825,506		
	Financial Assistance for Planning, Access Roads, and Special Projects (60704).....	\$18,303,310	\$18,529,377		
	Fund Sources: Commonwealth Transportation.....	\$541,727,128	\$548,996,955		

Authority: Title 33.2, Chapter 1, Code of Virginia.

A. Out of the amounts for Financial Assistance for Planning, Access Road, and Special Projects, \$7,000,000 the first year and \$7,000,000 the second year from the Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.2-1509, 33.2-1600, and 33.2-1510, Code of Virginia. Of this amount, the allocation for Recreational Access Roads shall be \$1,500,000 the first year and \$1,500,000 the second year. It is the intent of the General Assembly that up to \$250,000 of the funds allocated by the Commonwealth Transportation Board for Recreational Access Roads in this Item shall be prioritized for handicapped accessibility improvements at Virginia State Parks, including improvements to handicapped access points and parking facility enhancements as may be requested by the Department of Conservation and Recreation.

B. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply to use of funds provided in this Item from federal apportionments in the Metropolitan Planning Program.

C. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation Board, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly that under no circumstance shall the addition of lane miles to one jurisdiction result in the direct or indirect reduction in the calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance (60702).

D. The Department of Transportation shall report on an annual basis to the Commonwealth Transportation Board on the impact of adjusting the payments made as part of Financial Assistance to Localities distributions for inflation consistent with adjustments for highway system maintenance and operations.

E. Of the amounts in this item, \$1,000,000 the first year and \$1,000,000 the second year from the Commonwealth Transportation Fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities. These

ITEM 456.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

payments shall be treated the same as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities nor shall they supplant other local government expenditures for roadway maintenance. These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units.

F. Notwithstanding the provisions of § 33.2-1509, Code of Virginia, and consistent with the provisions of § 4-13.00 of this Act, no locality that has been allocated funds for a bonded project by the Commonwealth Transportation Board pursuant to § 33.2-1509, Code of Virginia, shall be required to repay such funds during the 48-month period beginning on the effective date of Chapter 552, 2021 Acts of Assembly, Special Session I, provided that all of the other conditions of the Commonwealth Transportation Board's economic development access policy are met.

G. The Department of Transportation shall conduct an evaluation of the conditions of city streets. The evaluation shall include (i) an assessment of the current conditions of pavements and bridges on city-maintained streets throughout the Commonwealth, (ii) a review of the current formula used for distributing city street payments including comparisons of age, condition, vehicles miles traveled relative to per mile payments, (iii) opportunities for efficiency through partnerships with the Department, and (iv) recommendations, if any, for revisions to the formula for the distribution of city street payments. The evaluation shall be complete no later than December 1, 2023. All costs for conducting the evaluation shall be borne by the Department and under no circumstance shall funds appropriated for Financial Assistance for City Road Maintenance (60701) be reduced related to the costs of conducting the evaluation.

457.	Non-Toll Supported Transportation Debt Service (61200).....			\$412,542,852	\$455,335,793
	Highway Transportation Improvement District Debt Service (61201).....	\$8,644,519	\$8,644,519		
	Designated Highway Corridor Debt Service (61202).....	\$57,655,188	\$59,853,432		
	Commonwealth Transportation Capital Projects Bond Act Debt Service (61204).....	\$198,525,650	\$208,579,023		
	Federal Transportation Grant Anticipation Revenue Notes Debt Service (61205).....	\$142,713,418	\$162,845,333		
	Interstate 81 Corridor Improvement Program Debt Service (61206).....	\$5,004,077	\$15,413,486		
	Fund Sources: Commonwealth Transportation.....	\$142,713,418	\$171,881,236		
	Trust and Agency.....	\$264,500,292	\$278,452,816		
	Federal Trust.....	\$5,329,142	\$5,001,741		

Authority: Titles 15.2, 33.2, and 58.1 of the Code of Virginia; Chapters 827 and 914, Acts of Assembly of 1990; Chapters 233 and 662, Acts of Assembly of 1994; Chapter 8, as amended by Chapter 538, Acts of Assembly of 1999; Chapters 1019 and 1044, Acts of Assembly of 2000; Chapter 799, Acts of Assembly of 2002; Chapter 896, Acts of Assembly of 2007; and Chapters 830 and 868, Acts of Assembly of 2011

A.1. The amount shown for Highway Transportation Improvement District Construction shall be derived from payments made to the Transportation Trust Fund pursuant to the Contract between the State Route 28 Highway Transportation Improvement District and the Commonwealth Transportation Board dated September 1, 1988 as amended by the Amended and Restated District Contract by and among the Commonwealth Transportation Board, the Fairfax County Economic Development Authority and the State Route 28 Highway Transportation Improvement District Commission (the "District Commission") dated August 30, 2002, and May 1, 2012 (the "District Contract").

2. There is hereby appropriated for payment immediately upon receipt to a third party approved by the Commonwealth Transportation Board, or a bond trustee selected by such third party, a sum sufficient equal to the special tax revenues collected by the Counties of Fairfax and Loudoun within the State Route 28 Highway Transportation Improvement

ITEM 457.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>District and paid to the Commonwealth Transportation Board by or on behalf of the District Commission (the "contract payments") pursuant to § 15.2-4600 et seq., Code of Virginia, and the District Contract between the Commonwealth Transportation Board and the District Commission.</p>				
<p>3. The contract payments may be supplemented from the Construction District Grant Program pursuant to § 33.2-371 allocated to the highway construction district in which the project financed is located, or any other lawfully available revenues of the Transportation Trust Fund, as may be necessary to meet debt service obligations. The payment of debt service shall be for the bonds (the Series 2012 Bonds) issued under the "Commonwealth of Virginia Transportation Contract Revenue Bond Act of 1988" (Chapters 653 and 676, Acts of Assembly of 1988 as amended by Chapters 827 and 914 of the Acts of Assembly of 1990). Funds required to pay the total debt service on the Series 2012 Bonds shall be made available in the amounts indicated in paragraph E of this Item.</p>				
<p>B.1. Out of the amounts in this Item, \$40,000,000 the first year and \$40,000,000 the second year from the Commonwealth Transportation Fund shall be paid to the U.S. Route 58 Corridor Development Fund, hereinafter referred to as the "Fund", established pursuant to § 33.2-2300, Code of Virginia. Additional appropriations required for the U.S. Route 58 Corridor Development Fund, an amount estimated at \$20,000,000 the first year and \$20,000,000 the second year shall be transferred from the highway share of the Transportation Trust Fund.</p>				
<p>2. Pursuant to the "U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bond Act of 1989" (as amended by Chapter 538 of the 1999 Acts of Assembly and Chapter 296 of the 2013 Acts of Assembly), the amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.</p>				
<p>C.1. The Commonwealth Transportation Board shall maintain the Northern Virginia Transportation District Fund, hereinafter referred to as the "Fund." Pursuant to § 33.2-2400, Code of Virginia, and for so long as the Fund is required to support the issuance of bonds, the Fund shall include at least the following elements:</p>				
<p>a. Amounts provided from state transportation revenues estimated at \$40,000,000 the first year and \$40,000,000 the second year to support the debt service.</p>				
<p>b. Any public right-of-way use fees allocated by the Department of Transportation pursuant to § 56-468.1 of the Code of Virginia and attributable to the counties of Fairfax, Loudoun, and Prince William, the amounts estimated at \$5,387,165 the first year and \$5,387,165 the second year.</p>				
<p>c. Any amounts which may be deposited into the Fund pursuant to a contract between the Commonwealth Transportation Board and a jurisdiction or jurisdictions participating in the Northern Virginia Transportation District Program, the amounts estimated to be \$816,000 the first year and \$816,000 the second year.</p>				
<p>2. The Fund shall support the issuance of bonds at a total authorized level of \$500,200,000 for the purposes provided in the "Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993," Chapter 391, Acts of Assembly of 1993 as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly.</p>				
<p>3. Pursuant to the Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993, Chapter 391, Acts of Assembly of 1993, and as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly, amounts shown in paragraph D of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.</p>				
<p>4. Should the actual distribution of funds from the Commonwealth Transportation Fund be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, to the extent required, from funds</p>				

ITEM 457.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
identified in Enactment No. 1, Section 11, of Chapter 391, Acts of Assembly of 1993.				
D. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be transferred to the Treasury Board as follows:				
		<b>FY 2023</b>		<b>FY 2024</b>
Transportation Contract Revenue		\$8,644,519		\$8,644,519
Refund Bonds, Series 2012 (Refunding Route 28)				
Commonwealth of Virginia				
Transportation Revenue Bonds: U.S.				
Route 58 Corridor Development Program:				
Series 2016C (Refunding)		\$19,584,000		\$19,580,750
Series 2020		\$7,147,480		\$7,145,732
Northern Virginia Transportation District Program:				
Series 2012A (Refunding)		\$5,651,538		\$5,650,838
Series 2016B (Refunding)		\$2,263,500		\$2,262,500
Series 2019A (Refunding)		\$3,955,400		\$3,953,900
Capital Projects Revenue Bonds:				
Series 2010 A-2		\$34,955,275		\$34,689,495
Series 2012		\$8,445,800		\$8,445,800
Series 2014		\$18,225,200		\$18,224,200
Series 2016		\$16,796,000		\$16,521,438
Series 2017		\$16,525,688		\$16,521,438
Series 2017A (Refunding)		\$69,661,400		\$69,667,400
Series 2018		\$9,200,850		\$9,198,600
Series 2019		\$15,061,188		\$15,060,188
E. Out of the amounts provided for in this Item, an estimated \$128,050,875 the first year and \$127,116,000 the second year from federal reimbursements shall be provided for debt service payments on the Federal Transportation Grant Anticipation Revenue Notes.				
F. Out of the amounts provided for this Item, an estimated \$194,006,694 the first year and \$193,739,164 the second year from the Priority Transportation Fund shall be provided for debt service payments on the Commonwealth Transportation Capital Projects Revenue Bonds. Any additional amounts needed to offset the debt service payment requirements attributable to the issuance of the Capital Projects Revenue Bonds shall be provided from the Transportation Trust Fund.				
G. Out of the amounts provided for in this Item, an estimated \$5,004,077 the first year and \$15,413,486 the second year from the Interstate 81 Corridor Fund shall be provided for debt service payments on the Interstate 81 Corridor Improvement Bonds and anticipated financing from the Transportation Infrastructure Finance and Innovation Act Program.				
458.	Administrative and Support Services (69900).....		\$305,362,913	\$310,049,997
	General Management and Direction (69901).....	\$162,055,925		\$164,545,298
	Information Technology Services (69902).....	\$110,234,802		\$111,998,558
	Facilities and Grounds Management Services (69915).....	\$21,403,612		\$21,746,070
	Employee Training and Development (69924).....	\$11,668,574		\$11,760,071
	Fund Sources: Commonwealth Transportation.....	\$305,362,913		\$310,049,997

Authority: Title 33.2, Code of Virginia.

ITEM 458.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>A. Notwithstanding any other provision of law, the highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.</p>				
<p>B. Administrative and Support Services shall include funding for management, direction, and administration to support the department's activities that cannot be directly attributable to individual programs and/or projects.</p>				
<p>C. Out of the amounts for General Management and Direction, allocations shall be provided to the Commonwealth Transportation Board to support its operations, the payment of financial advisory and legal services, and the management of the Commonwealth Transportation Fund.</p>				
<p>D. Notwithstanding any other provision of law, the department may assess and collect the costs of providing services to other entities, public and private. The department shall take all actions necessary to ensure that all such costs are reasonable and appropriate, recovered, and understood as a condition to providing such service.</p>				
<p>E. Each year, as part of the six-year financial planning process, the commissioner shall implement a long-term business strategy that considers appropriate staffing levels for the department. In addition, the commissioner shall identify services, programs, or projects that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking such evaluations, the commissioner is authorized to use the appropriate resources, both public and private, to competitively procure those identified services, programs, or projects and shall identify total costs for such activities.</p>				
<p>F. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be exempt from recovering statewide and agency indirect costs from the Federal Highway Administration until an indirect cost plan can be evaluated and developed by the agency and approved by the Federal Highway Administration.</p>				
<p>G. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.</p>				
<p>H. Notwithstanding any other provisions of law, the Commonwealth Transportation Commissioner may enter into a contract with homeowner associations for grounds-keeping, mowing, and litter removal services.</p>				
<p>I. Notwithstanding the provisions § 2.2-2402 of the Code of Virginia, no construction, erection, repair, upgrade, removal or demolition of any building, fixture or structure located or to be located on property of the Commonwealth of Virginia under the control of the Virginia Department of Transportation (VDOT) and within the secured area of a residency, area headquarters or district complex shall be subject to review or approval by the Art and Architectural Review Board as contemplated by that section. However, for changes to any building or fixture located on property owned or controlled by VDOT that has been designated or is under consideration for designation as a historic property, then VDOT shall submit such changes to the Art and Architectural Review Board for review and approval by the Board.</p>				
<p>J. 1. At such time as the Virginia Department of Transportation (VDOT) determines that the VDOT Residency office, on five acres, at 626 Waddell Street, in the City of Lexington is no longer required for VDOT's purposes, it shall offer to transfer the property to the City of Lexington prior to offering the property for transfer or sale to any other public or private agency or entity or individual, on such terms and conditions as provided below.</p>				
<p>2. The Virginia Department of Transportation and the City of Lexington shall each obtain a separate appraisal of the property, each performed by an appraiser licensed by the Commonwealth of Virginia as Certified General Real Property Appraisers, who must meet the competency provisions of the Uniform Standards of Professional Appraisal Practice.</p>				
<p>3. VDOT shall offer the property to the City of Lexington at a value which shall be determined by averaging the values from the two appraisals obtained in L.2. above. Any other conditions of the transfer shall be based on usual and customary terms for such</p>				



ITEM 458.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

intergovernmental transfers.

4. If the Virginia Department of Transportation and the City of Lexington cannot agree on the terms of the transfer of the property, VDOT may transfer or sell the property to any other public or private agency or entity or individual on such terms as it determines are in the best interest of the Virginia Department of Transportation, however it will present those terms to the City of Lexington for its consideration prior to finalizing any transfer or sale to any other party.

5. Any proceeds from the sale of the Waddell Street property may be used for the construction, staff relocation and other expenses related to the renovation of the VDOT Annex Building located at 1401 East Broad Street, Richmond, VA and any proceeds not so used shall be deposited in the Transportation Trust Fund.

K. Notwithstanding any other provisions of law, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Fulton property at 503 and 890 Bickerstaff Road and 421 Old Osborne Turnpike in Henrico, Virginia, containing 21.35 acres, more or less, as shown on a plat of survey entitled, "Commonwealth of Virginia Department of Highways and Transportation Fulton Depot" made by J.D. Hensdill, State Certified Engineer or Land Surveyor, dated October 1976. Any proceeds from the sale of the Fulton property may be used for the construction, staff relocation and other expenses related to the renovation of the VDOT Annex Building located at 1401 East Broad Street, Richmond, VA and any proceeds not so used shall be deposited in the Transportation Trust Fund.

L. Notwithstanding any other provisions law, in addition to the marketing, sale and conveyance of any property pursuant to item C- 41.10 of the 2017 Appropriations Act, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Hampton Roads District Bartlett Area Headquarters in Isle of Wight County, Virginia, containing 10.42 acres, more or less, as shown on a plat of survey entitled, "Newport Magisterial District Isle of Wight Count, Virginia subdivision of property of: Thomas L. Newton, Jr. & Thomas S. Word, Jr. Trustees" made by W. L. Jessee, State Certified Engineer or Land Surveyor, dated January 8, 1981. Any proceeds from the sale of the Bartlett Area Headquarters as well as any proceeds from the sale of any properties pursuant to item C- 41.10 of the 2017 Appropriations Act may be used for the acquisition, construction and other expenses related to the relocation of the Hampton Roads District Office Complex and any proceeds not so used shall be deposited in the Transportation Trust Fund.

M. Notwithstanding any other provision of law, the Commissioner of Highways is hereby authorized to convey to Norfolk Southern Railway Company by deed without consideration a variable width easement for right of way beneath the existing Interstate 264 overpass in the area of the relocated freight rail facilities, across a parcel approximately 0.5 acres in size, on terms acceptable to the Virginia Department of Transportation, Norfolk Southern Railway Company, and the Federal Highway Administration. The conveyance shall be in a form approved by the Office of the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

459. A full accrual system of accounting shall be effected by the Department, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia.

Total for Department of Transportation.....			<b>\$8,098,923,262</b>	<b>\$8,300,322,412</b>
Nongeneral Fund Positions.....	7,748.00	7,748.00		
Position Level.....	7,748.00	7,748.00		
Fund Sources: General.....	\$51,504,000	\$110,000,000		
Commonwealth Transportation.....	\$7,102,414,355	\$6,977,821,187		
Trust and Agency.....	\$761,579,842	\$779,334,607		
Dedicated Special Revenue.....	\$178,095,923	\$428,164,877		
Federal Trust.....	\$5,329,142	\$5,001,741		

ITEM 459.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<b>Department of Transportation Transfer Payments (503)</b>				
460.	Financial Assistance to Localities for Ground Transportation (60700).....		\$884,465,897	\$905,989,412
	Distribution of Northern Virginia Transportation Authority Fund Revenues (60706).....	\$405,965,897	\$416,089,412	
	Distribution of Hampton Roads Transportation Fund Revenues (60707).....	\$285,600,000	\$292,400,000	
	Distribution of Central Virginia Transportation Fund.Revenues (60710).....	\$192,900,000	\$197,500,000	
	Fund Sources: Dedicated Special Revenue.....	\$884,465,897	\$905,989,412	
Authority: Title 33.2, Chapter 1, Code of Virginia.				
A. Distribution of Northern Virginia Transportation Authority Fund Revenues represents direct payments of the revenue collected and deposited into the Fund, to the Northern Virginia Transportation Authority for uses contained in Chapter 766, 2013 Acts of Assembly.				
B. Notwithstanding any other provision of law, moneys deposited into the Hampton Roads Transportation Fund shall be transferred to the Hampton Roads Transportation Accountability Commission for use in accordance with § 33.2-2611, Code of Virginia. Moneys deposited into the Hampton Roads Regional Transit Fund shall be transferred to the Hampton Roads Accountability Commission for use in accordance with § 33.2-2600.1, Code of Virginia.				
C. Distribution of the Central Virginia Transportation Authority Fund revenues represents direct payments, of the revenue collected and deposited into the Fund, to the Central Virginia Transportation Authority for uses specified in Chapter 1235, 2020 Acts of Assembly.				
D. Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions. The amounts generated from this additional tax on fuel in certain transportation districts in this item are estimated at \$58,900,000 for the Hampton Roads Transportation Accountability Commission and \$61,100,000 for the Central Virginia Transportation Authority in the first year and \$59,700,000 for the Hampton Roads Transportation Accountability Commission and \$61,900,000 for the Central Virginia Transportation Authority in the second year. All other funds collected pursuant to § 58.1-2291 et seq. are appropriated in Item 444, 452 and 457.				
E. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation Transfer Payments to reflect changes in the official revenue estimates in the dedicated funds.				
	Total for Department of Transportation Transfer Payments.....		<b>\$884,465,897</b>	<b>\$905,989,412</b>
	Fund Sources: Dedicated Special Revenue.....	\$884,465,897	\$905,989,412	
	Grand Total for Department of Transportation.....		<b>\$8,983,389,159</b>	<b>\$9,206,311,824</b>
	Nongeneral Fund Positions.....	7,748.00	7,748.00	
	Position Level.....	7,748.00	7,748.00	
	Fund Sources: General.....	\$51,504,000	\$110,000,000	
	Commonwealth Transportation.....	\$7,102,414,355	\$6,977,821,187	
	Trust and Agency.....	\$761,579,842	\$779,334,607	
	Dedicated Special Revenue.....	\$1,062,561,820	\$1,334,154,289	
	Federal Trust.....	\$5,329,142	\$5,001,741	
<b>§ 1-128. MOTOR VEHICLE DEALER BOARD (506)</b>				
461.	Consumer Affairs Services (55000).....		\$304,791	\$304,791
	Consumer Assistance (55002).....	\$304,791	\$304,791	

ITEM 461.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: Special.....	\$304,791	\$304,791		
Authority: Title 46.2, Chapter 15, Code of Virginia.				
462. Regulation of Professions and Occupations (56000).....			\$2,986,503	\$2,986,503
Motor Vehicle Dealer and Salesman Regulation (56023).....	\$1,572,539	\$1,572,539		
Administrative Services (56048).....	\$1,413,964	\$1,413,964		
Fund Sources: Special.....	\$2,986,503	\$2,986,503		
Authority: Title 46.2, Chapter 15, Code of Virginia.				
Total for Motor Vehicle Dealer Board.....			<b>\$3,291,294</b>	<b>\$3,291,294</b>
Nongeneral Fund Positions.....	25.00	25.00		
Position Level.....	25.00	25.00		
Fund Sources: Special.....	\$3,291,294	\$3,291,294		

**§ 1-129. VIRGINIA PORT AUTHORITY (407)**

463. Economic Development Services (53400).....			\$7,830,786	\$7,830,786
National and International Trade Services (53413)..	\$6,330,786	\$6,330,786		
Commerce Advertising (53426).....	\$1,500,000	\$1,500,000		
Fund Sources: Special.....	\$7,830,786	\$7,830,786		
Authority: Title 62.1, Chapter 10, Code of Virginia.				
464. Port Facilities Planning, Maintenance, Acquisition, and Construction (62600).....			\$121,067,624	\$125,881,499
Maintenance and Operations of Ports and Facilities (62601).....	\$35,955,014	\$34,968,889		
Port Facilities Planning (62606).....	\$1,280,247	\$1,280,247		
Debt Service for Port Facilities (62607).....	\$83,832,363	\$89,632,363		
Fund Sources: Special.....	\$62,695,191	\$68,495,191		
Commonwealth Transportation.....	\$53,372,433	\$52,386,308		
Federal Trust.....	\$5,000,000	\$5,000,000		

Authority: Title 62.1, Chapter 10; Title 33.2, Chapter 1, Code of Virginia.

A.1. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on January 25, 2012 in the amount of \$108,015,000 to refund Commonwealth Port Fund bonds originally issued on July 11, 2002. Debt service on bonds referenced in this paragraph is estimated to be \$9,100,000 the first year and \$9,100,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

2. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on September 26, 2012 in the amount of \$50,025,000 to refund a portion of Commonwealth Port Fund bonds originally issued on April 14, 2005. Debt service on bonds referenced in this paragraph is estimated to be \$3,100,000 the first year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund Revenue Refunding Bonds on July 26, 2018 in the amount of \$60,345,000 to refund Commonwealth Port Fund bonds originally issued in July 2011. Debt service on bonds referenced in this paragraph is estimated to be \$2,600,000 the first year and \$2,600,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

ITEM 464.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
4. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund Revenue Refunding Bonds on August 4, 2020 in the amount of \$97,615,000 to refund Commonwealth Port Fund bonds originally issued in September 2012 and June 2015. Debt service on bonds referenced in this paragraph is estimated to be \$3,800,000 the first year and \$6,400,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.				
5. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority is authorized to issue Commonwealth Port Fund Revenue Bonds in the amount of \$166,000,000 to finance improvements to Norfolk International Terminals. Debt service on bonds referenced in this paragraph is estimated to be \$7,000,000 the first year and \$7,000,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.				
6. In the event revenues of the Commonwealth Port Fund are insufficient to provide for the debt service on the Virginia Port Authority Commonwealth Port Fund Revenue Bonds authorized by paragraphs A1, A2, A3, A4 and A5; or any bonds payable from the revenues of the Commonwealth Port Fund, there is hereby appropriated a sum sufficient first from the legally available moneys in the Transportation Trust Fund and then from the general fund to provide for this debt service. Total debt service on the bonds referenced in paragraphs A1, A2, A3, A4 and A5 is estimated at \$25,600,000 the first year and \$25,100,000 the second year.				
7. Notwithstanding § 62.1-140, Code of Virginia, the aggregate principal amount of Commonwealth Port Fund bonds, and including any other long-term commitment that utilizes the Commonwealth Port Fund, shall not exceed \$440,000,000.				
B.1. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority on November 17, 2016, issued Port Facilities Revenue Refunding bonds in the amounts of \$143,965,000, \$99,230,000 and \$37,335,000 for the purposes of defeasing and refunding special fund debt previously authorized. The debt service on these bonds, estimated to be \$17,600,000 the first year and \$17,600,000 the second year, will be paid from special funds, and all or a portion of such bonds may be refunded by the authority pursuant to § 62.1-140, Code of Virginia.				
2. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue additional bonds, in an amount up to \$105,500,000 for purposes of expanding port terminal capacity (capital outlay project 407-17956). All or a portion of such bonds may be refunded by the authority pursuant to § 62.1-140, Code of Virginia. The debt service on these bonds, estimated to be \$8,500,000 the first year and \$8,500,000 the second year, will be paid from special funds.				
3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority has purchased, through a purchase agreement (master equipment lease program), terminal operating equipment at a total estimated cost of \$67,000,000. Total debt service referenced in this paragraph (including any interim financing issued in anticipation of such program), is estimated at \$6,200,000 the first year and \$6,200,000 the second year from special funds, and such lease purchases may be refunded by the Authority.				
4. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority is authorized to purchase, through a purchase agreement (master equipment lease program), terminal operating equipment at a total estimated cost of \$63,000,000. Total debt service referenced in this paragraph (including any interim financing issued in anticipation of such program), is estimated at \$7,400,000 the first year and \$7,400,000 the second year from special funds, and such lease purchases may be refunded by the Authority.				
5. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority is authorized to purchase, through a purchase agreement (master equipment lease program), terminal operating equipment at a total estimated cost of \$90,000,000. Total debt service referenced in this paragraph (including any interim financing issued in anticipation of such program), is estimated at \$5,800,000 the first year and \$11,600,000 the second year from special funds, and such lease purchases may be refunded				

ITEM 464.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

by the Authority.

6. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue short-term debt on a revolving basis as interim or anticipation financing in order to cover costs of planning, design, and construction pending the receipt of bond or master equipment lease program proceeds authorized in an amount not to exceed the authorized amount for the projects. In the aggregate, the short-term debt shall not exceed \$200,000,000 at any point in time and all or a portion of such debt may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia. The debt service, including associated fees, on the short-term debt may be paid, as recommended by the authority and approved by the Board, from the bond or master equipment lease proceeds, special funds, or other revenues or proceeds.

C. In order to remain consistent with the grant of authority as provided in Chapter 10, § 62.1-128 et seq. of the Code of Virginia, the Virginia Port Authority is authorized to maintain independent payroll and nonpayroll disbursement systems and, in connection with such systems, to open and maintain appropriate accounts with a qualified public depository, or depositories. As implementation occurs, these systems and related procedures shall be subject to review and approval by the State Comptroller. The Virginia Port Authority shall continue to provide nonpayroll transaction detail to the State Comptroller through the Commonwealth Accounting and Reporting System (Cardinal).

D. Out of the amounts in this Item, \$10,000,000 the first year and \$10,000,000 the second year from the Commonwealth Port Fund may be used to make lease payments associated with the Virginia International Gateway capital lease.

465.	Financial Assistance for Port Activities (62800).....			\$11,612,325	\$11,612,325
	Aid to Localities (62801).....	\$6,000,000	\$6,000,000		
	Payment in Lieu of Taxes (62802).....	\$5,612,325	\$5,612,325		
	Fund Sources: Special.....	\$1,612,325	\$1,612,325		
	Commonwealth Transportation.....	\$2,000,000	\$2,000,000		
	Dedicated Special Revenue.....	\$8,000,000	\$8,000,000		

Authority: Title 62.1, Chapter 10, Code of Virginia.

A. Of the amounts authorized in Item 113 A.1, \$2,000,000 the first year and \$2,000,000 the second year from the general fund may be deposited in the Port of Virginia Economic and Infrastructure Development Zone Grant Fund, created pursuant to § 62.1-132.3:2, Code of Virginia. The Executive Director of the Virginia Port Authority shall disburse the funding in the form of grants to qualified companies in accordance with the provisions of § 62.1-132.3:2, Code of Virginia.

B. Of the amounts in this Item, \$1,000,000 the first year and \$1,000,000 the second year from the Commonwealth Port Fund is appropriated for previously awarded Aid to Local Ports which were unreimbursed in the year of the initial award.

C. Out of amounts in this item, \$4,000,000 the first year and \$4,000,000 the second year from amounts transferred to this item pursuant § 3-1.01 M. of this act, the Authority shall award a grant of funds to a qualified applicant or applicants to support a dredging project or projects that have been approved by the Authority. The source of the grant funds shall be the Virginia Waterway Maintenance Fund created pursuant to § 62.1-132.3:3. Applicants shall be limited to political subdivisions and the governing bodies of Virginia localities. The Authority shall develop guidelines establishing an application process as set out in Chapter 642, 2018 Session of the General Assembly. Projects for which the Authority may award grant funding include (i) feasibility and cost evaluations, pre-project engineering studies, and project permitting and contracting costs for a waterway project conducted by the Commonwealth; (ii) the state portion of a nonfederal sponsor funding requirement for a federal project, which may include the beneficial use of dredged materials that are not covered by federal funding; (iii) the Commonwealth's maintenance of shallow-draft navigable waterway channel maintenance dredging and the construction and management of areas for the placement of dredged material; and (iv) the beneficial use, for environmental restoration and the mitigation of coastal erosion or flooding, of dredged materials from waterway projects conducted by the Commonwealth. Special

ITEM 465.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
consideration shall be given to any locality which provides a three-to-one match for any requested funding in the first year.				
466.	Administrative and Support Services (69900).....		\$139,845,257	\$145,445,257
	General Management and Direction (69901).....	\$118,645,292		\$124,245,292
	Security Services (69923).....	\$21,199,965		\$21,199,965
	Fund Sources: Special.....	\$129,545,257		\$135,145,257
	Commonwealth Transportation.....	\$1,300,000		\$1,300,000
	Federal Trust.....	\$9,000,000		\$9,000,000
Authority: Title 62.1, Chapter 10, Code of Virginia.				
A. Out of the amounts in this Item, the Executive Director is authorized to expend from special funds amounts not to exceed \$37,500 the first year and \$37,500 the second year, for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.				
B. Prior to purchasing airline and hotel accommodations related to overseas travel, the Virginia Port Authority shall provide an itemized list of projected costs for review by the Secretary of Transportation.				
C. It is hereby acknowledged that, in accordance with Item C-40.10 of Chapter 665, 2015 Virginia Acts of Assembly, on November 17, 2016, the Port Authority converted its 20 year operating lease to operate a privately owned marine terminal in Portsmouth to a 49 year capital lease terminating December 31, 2065. Included in this Item is an amount estimated at \$91,922,173 the first year and \$96,851,632 the second year from special funds to cover the costs of this lease.				
	Total for Virginia Port Authority.....		<b>\$280,355,992</b>	<b>\$290,769,867</b>
	Nongeneral Fund Positions.....	260.00		260.00
	Position Level.....	260.00		260.00
	Fund Sources: Special.....	\$201,683,559		\$213,083,559
	Commonwealth Transportation.....	\$56,672,433		\$55,686,308
	Dedicated Special Revenue.....	\$8,000,000		\$8,000,000
	Federal Trust.....	\$14,000,000		\$14,000,000
	TOTAL FOR OFFICE OF TRANSPORTATION.....		<b>\$10,998,522,561</b>	<b>\$11,160,519,957</b>
	Nongeneral Fund Positions.....	10,373.00		10,373.00
	Position Level.....	10,373.00		10,373.00
	Fund Sources: General.....	\$51,534,246		\$110,030,246
	Special.....	\$207,114,697		\$218,514,697
	Commonwealth Transportation.....	\$8,581,326,306		\$8,384,407,869
	Trust and Agency.....	\$772,526,442		\$790,281,207
	Dedicated Special Revenue.....	\$1,333,761,820		\$1,605,354,289
	Federal Trust.....	\$52,259,050		\$51,931,649

ITEM 467.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**OFFICE OF VETERANS AND DEFENSE AFFAIRS**

**§ 1-130. SECRETARY OF VETERANS AND DEFENSE AFFAIRS (454)**

467.	Disaster Planning and Operations (72200).....			\$1,283,320	\$1,283,320
	Emergency Planning (72205).....	\$1,283,320	\$1,283,320		
	Fund Sources: General.....	\$900,089	\$900,089		
	Federal Trust.....	\$383,231	\$383,231		

Authority: Title 2.2, Chapter 3.1, Code of Virginia.

A. Out of this appropriation, up to \$190,000 the first year and \$190,000 the second year from the general fund shall be used to support a Military Liaison position under the Secretariat.

468.	Economic Development Services (53400).....			\$8,425,543	\$3,425,543
	Financial Assistance for Economic Development (53410).....	\$8,425,543	\$3,425,543		
	Fund Sources: General.....	\$5,950,651	\$950,651		
	Trust and Agency.....	\$2,474,892	\$2,474,892		

A.1. Any administrative reappropriations or other administrative appropriation increases pursuant to Item 458 of the Appropriation Act for the 2014-2016 biennium to address the encroachment of incompatible uses in localities in which the United States Navy Master Jet Base, an auxiliary landing field, or United States Air Force Base are located shall continue to be governed by the provisions contained in the 2014-2016 Appropriation Act. The recurring, dedicated special (nongeneral) fund component of the U.S. Navy Master Jet Base and Auxiliary Landing Field encroachment mitigation program is continued through June 30, 2024.

2. In the event that dedicated special revenues generated pursuant to the provisions of the 2014-16 Appropriations Act exceed the amounts needed to fund the requirements set out in that Act, any excess dedicated special fund revenue a total of \$3,000,000 is hereby appropriated as follows:

- a. \$1,700,000 for encroachment mitigation activities in the vicinity of Naval Auxiliary Landing Field Fentress;
- b. \$700,000 for encroachment mitigation activities in the vicinity of Langley Air Force Base; and
- c. \$600,000 for encroachment mitigation activities in the vicinity of Naval Air Station Oceana.

3. The amounts identified in paragraph A.2. of this item shall be used to provide additional assistance to the locality in which the United States Navy Master Jet Base auxiliary landing field is located for the purpose of purchasing property or development rights and otherwise converting such property to an appropriate compatible use and prohibiting new uses or development which is deemed incompatible with air operations arising from such Master Jet Base.

4. In addition to the amounts identified in paragraph A.1. of this item, \$450,000 is hereby appropriated as follows:

- a. \$250,000 for encroachment mitigation activities in the vicinity of Naval Auxiliary Landing Field Fentress; and
- b. \$200,000 for encroachment mitigation activities in the vicinity of Joint Base Langley Eustis.

5. Included in this appropriation is \$2,500,000 the first year and \$2,500,000 the second year from nongeneral funds to be provided through a long-term lease agreement with the City of Virginia Beach as consideration for use of state-owned parcels totaling

ITEM 468.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>approximately 12 acres, more or less, and currently leased to the City for use as parking for the Virginia Aquarium and Marine Science Center and overflow Rudee Inlet boat ramp parking. Such funds shall be used for construction of a new secure access control point, including all desirable or required supporting facilities, to the Camp Pendleton State Military Reservation located in the City of Virginia Beach. As additional consideration, the City of Virginia Beach shall also provide for a new signal-controlled entrance to Camp Pendleton State Military Reservation aligned with the new secure access control point. An initial payment of \$2,500,000 shall be made by the City within 30 days of lease execution but no later than June 30, 2021 and an additional payment of \$2,500,000 shall be made by the City within 12 months of lease execution but no later than June 30, 2022. Pursuant to Executive Order 20 (2018), authorizing the transfer of administrative authority of the Department of Military Affairs from the Secretary of Public Safety and Homeland Security to the Secretary of Veterans and Defense Affairs, the Secretary of Veterans and Defense Affairs shall be the authorized entity to enter into the initial and any subsequent lease agreement with the City. The term of the lease shall be not less than 50 years upon such terms and conditions as negotiated between the parties to the lease, which may include additional annual payment pursuant to the lease. The Secretary of Veterans and Defense Affairs shall report to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees on such projects and real property lease agreements executed from funds appropriated in this item by October 15th of each year until completion of the specified improvement projects.</p>				
<p>6. Included in this appropriation is \$350,000 the first year and \$350,000 the second year from the general fund for encroachment mitigation activities in the vicinity of Joint Base Langley Eustis.</p>				
<p>B. Included in this appropriation is \$600,000 in the first year and \$600,000 in the second year from the general fund to support the recommendations of the Governor's Commission on Military Installations and Defense Activities.</p>				
<p>C. The Secretary of Veterans and Defense Affairs may submit project requests that improve, expand, develop, or redevelop a federal or state military installation or its supporting infrastructure, to enhance its military value to the MEI Project Approval Commission established pursuant to § 30-309, Code of Virginia. The Commission shall recommend approval or denial of such packages to the General Assembly. The authority of the Commission to consider and evaluate such projects shall be in addition to the authorities provided to the MEI Project Approval Commission and § 30-310, Code of Virginia.</p>				
<p>D. Included in this appropriation is \$5,000,000 the first year from the general fund to provide grants under the Virginia Military Community Infrastructure Program. These grant funds are to serve as a local match for military communities to pursue Department of Defense grants to support infrastructure resilience projects in communities with military installations and to enhance military readiness.</p>				
Total for Secretary of Veterans and Defense Affairs...			<b>\$9,708,863</b>	<b>\$4,708,863</b>
General Fund Positions.....	5.00	5.00		
Nongeneral Fund Positions.....	1.00	1.00		
Position Level.....	6.00	6.00		
Fund Sources: General.....	\$6,850,740	\$1,850,740		
Trust and Agency.....	\$2,474,892	\$2,474,892		
Federal Trust.....	\$383,231	\$383,231		
<b>§ 1-131. DEPARTMENT OF VETERANS SERVICES (912)</b>				
469. State Health Services (43000).....			\$92,287,739	\$92,287,739
Veterans Care Center Operations (43013).....	\$92,287,739	\$92,287,739		
Fund Sources: General.....	\$50,000	\$50,000		
Special.....	\$45,732,518	\$45,732,518		
Federal Trust.....	\$46,505,221	\$46,505,221		
Authority: § Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.				



ITEM 469.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
A. The Department of Veterans Services is authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for the Medicaid supplemental payments made for state government owned nursing homes. The funds to be transferred must comply with 42 CFR 447.272.				
470. Veterans Benefit Services (46700).....			\$36,352,661	\$36,310,462
Case Management Services for Veterans Benefits (46701).....	\$14,229,375	\$15,600,170		
Virginia Veteran and Family Support Services (46702).....	\$14,561,635	\$14,655,105		
Veterans Education, Transition, and Employment Services (46703).....	\$6,765,151	\$5,258,687		
Veterans Services Fund Administration (46704).....	\$796,500	\$796,500		
Fund Sources: General.....	\$29,720,899	\$29,678,700		
Special.....	\$1,478,078	\$1,478,078		
Dedicated Special Revenue.....	\$796,500	\$796,500		
Federal Trust.....	\$4,357,184	\$4,357,184		

Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.

A. 1. Out of this appropriation, up to \$100,000 in the first year and up to \$100,000 in the second year from the general fund shall be provided to address the costs associated with support of a grant program to create employment opportunities for veterans by assisting Virginia employers in hiring and retaining veterans. The Department of Veterans Services shall develop program guidelines to ensure that the funding mechanism effectively attracts maximum participation of firms to increase the number of veterans hired.

2. Such funds shall be used to provide grants beginning July 1, 2015, to any business located in Virginia with 300 or fewer employees which has hired a veteran on or after July 1, 2014, with the following additional requirements: (a) each such veteran shall have been hired within five years of the date of his or her discharge from active military service and (b) each such veteran shall have been continuously employed by the business in a full-time job for at least one year. The grant shall equal \$1,000 per qualifying business for each veteran who has been hired, and who qualifies under the provisions of this item, up to a maximum grant of \$10,000 per business in the fiscal year.

3. Grants shall be issued in the order that each completed eligible application is received. In the event that the amount of eligible grants requested in a fiscal year exceeds the funds available in the Fund, such grants shall be paid in the next fiscal year in which funds are available.

4. The Department shall report no later than October 1 of each fiscal year after the program is implemented on the demand for the program, and any shortage of funding resulting from requests in excess of the available appropriation.

B. Any general fund appropriation for the Virginia Veteran and Family Support Services service area which remains unexpended at the end of the first year shall be reappropriated and allotted for expenditure for the second year.

C.1. Notwithstanding § 23.1-608, Code of Virginia, the department shall provide the State Council of Higher Education in Virginia the information these schools need to administer the Virginia Military Survivors and Dependent Education Program. The department shall retain the responsibility to certify the eligibility of those who apply for financial aid under this program.

2. No surviving spouse or child may receive the education benefits provided by § 23.1-608, Code of Virginia, and funded by this or similar state appropriations, for more than four years or its equivalent.

D. Included in the amount provided for this item is \$24,000 the first year and \$24,000 the second year from the general fund for the Angel Wings for Veterans program.

E. Out of the amounts for this item, \$118,000 the first year and \$118,000 the second year from the general fund is provided to create a new assistant program manager for the

ITEM 470.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Virginia Women Veterans Program.				
<p>F. Out of this appropriation, \$5,000,000 the first year and \$5,000,000 the second year from the general fund is provided to establish a program for prevention and intervention of suicide and opiate addiction for service members, veterans, and their families in the Commonwealth. The Department shall collaborate with federal, state, local and community organizations, public and private institutions, and other service providers to develop programs to prevent suicide among service members and address opiate addiction suffered by service members and veterans. The Department shall coordinate with the Department of Health, Department of Behavioral Health and Developmental Services, and Department of Criminal Justice Services, where applicable, to promote the use of evidence-based practices and alignment with other suicide and opiate misuse prevention and intervention programs administered by the Commonwealth. The Department shall report to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Veterans and Defense Affairs, and the Director, Department of Planning and Budget, on the method of delivery for these services, the type of services provided, including crisis intervention, behavioral health focused prevention, treatment and recovery support, and on the successes, challenges and opportunities with the program on or before November 1, 2023.</p>				
<p>G. Out of this appropriation, \$250,000 the first year from the general fund is provided to Hero's Bridge for Hero's Bridge Village to support affordable housing and supportive services for veterans.</p>				
<p>H. Out of the appropriation for this item, \$2,500,000 the first year and \$3,750,000 the second year from the general fund to expand services, including but not limited to opening additional veterans benefits offices in areas where the need for services is greatest, hiring of benefits staff in both new and established offices, and for additional positions in the Virginia Veteran and Family Support Services and Veterans Education, Transition, and Employment Services program areas as needed. The Department shall submit a report on how the funding was allocated and the additional services provided, as well as planned funding allocations and how those expenditures contribute to the Department's strategic goals and desired outcomes, to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Finance, and the Director, Department of Planning and Budget, by October 1, 2022.</p>				
<p>I. In purchasing and maintaining a new customer relationship management system, the Department shall consider functionality available through the integrated e-referral system managed by the Virginia Department of Health in order to leverage existing systems and avoid duplication to the maximum extent practicable.</p>				
471.	Historic and Commemorative Attraction Management (50200).....		\$5,993,394	\$5,993,394
	State Veterans Cemetery Management and Operations (50206).....	\$3,730,280		\$3,730,280
	Virginia War Memorial Management and Operations (50209).....	\$2,263,114		\$2,263,114
	Fund Sources: General.....	\$3,895,292		\$3,895,292
	Special.....	\$348,466		\$348,466
	Federal Trust.....	\$1,749,636		\$1,749,636
Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.				
<p>A. The Department of General Services shall continue to provide routine building and grounds maintenance for the Virginia War Memorial as part of services provided under the seat of government rental plan.</p>				
472.	Administrative and Support Services (49900).....		\$3,652,151	\$3,158,318
	General Management and Direction (49901).....	\$3,652,151		\$3,158,318
	Fund Sources: General.....	\$3,276,717		\$2,782,884
	Special.....	\$375,434		\$375,434
Authority: Title 2.2, Chapters 20, 24, 26, 27, Code of Virginia.				

ITEM 472.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Total for Department of Veterans Services.....			<b>\$138,285,945</b>	<b>\$137,749,913</b>
General Fund Positions.....	271.00	271.00		
Nongeneral Fund Positions.....	1,111.00	1,111.00		
Position Level.....	1,382.00	1,382.00		
Fund Sources: General.....	\$36,942,908	\$36,406,876		
Special.....	\$47,934,496	\$47,934,496		
Dedicated Special Revenue.....	\$796,500	\$796,500		
Federal Trust.....	\$52,612,041	\$52,612,041		
<b>§ 1-132. VETERANS SERVICES FOUNDATION (913)</b>				
473. Veterans Benefit Services (46700).....			\$796,500	\$796,500
Veterans Services Fund Administration (46704).....	\$796,500	\$796,500		
Fund Sources: Dedicated Special Revenue.....	\$796,500	\$796,500		
Authority: §§ 2.2-2715 through 2.2-2718, Code of Virginia				
474. Administrative and Support Services (49900).....			\$412,592	\$412,592
General Management and Direction (49901).....	\$412,592	\$412,592		
Fund Sources: General.....	\$412,592	\$412,592		
Authority: §§ 2.2-2715 through 2.2-2718, Code of Virginia				
Total for Veterans Services Foundation.....			<b>\$1,209,092</b>	<b>\$1,209,092</b>
General Fund Positions.....	2.00	2.00		
Position Level.....	2.00	2.00		
Fund Sources: General.....	\$412,592	\$412,592		
Dedicated Special Revenue.....	\$796,500	\$796,500		
<b>§ 1-133. DEPARTMENT OF MILITARY AFFAIRS (123)</b>				
475. Higher Education Student Financial Assistance (10800).....			\$3,548,382	\$3,548,382
Tuition Assistance (10811).....	\$3,548,382	\$3,548,382		
Fund Sources: General.....	\$3,548,382	\$3,548,382		
Authority: Title 44, Chapters 1 and 2; § 23.1-506, Code of Virginia.				
476. At Risk Youth Residential Program (18700).....			\$5,906,187	\$5,906,187
Virginia Commonwealth Challenge Program (18701).....	\$5,417,187	\$5,417,187		
Virginia Commonwealth STARBASE Youth Education Program (18702).....	\$489,000	\$489,000		
Fund Sources: General.....	\$1,667,103	\$1,667,103		
Federal Trust.....	\$4,239,084	\$4,239,084		
Authority: Discretionary Inclusion.				
A. The Department of Military Affairs is hereby authorized to designate building space at the State Military Reservation as an in-kind match for the receipt of federal funds under the Commonwealth Challenge program, equivalent to a value of \$253,040 each year.				
B. Out of this appropriation, up to \$489,000 the first year and up to \$489,000 the second year in nongeneral funds is provided to establish a STARBASE youth education program to improve math and science skills to prepare students for careers in engineering and other science-related fields of study.				
477. Defense Preparedness (72100).....			\$61,354,829	\$61,354,829
Armories Operations and Maintenance (72101).....	\$14,274,413	\$14,274,413		

ITEM 477.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Virginia State Defense Force (72104).....	\$201,217	\$201,217		
Security Services (72105).....	\$4,880,424	\$4,880,424		
Fort Pickett and Camp Pendleton Operations (72109)	\$25,279,130	\$25,279,130		
Other Facilities Operations and Maintenance (72110)	\$16,719,645	\$16,719,645		
Fund Sources: General.....	\$3,249,330	\$3,249,330		
Special.....	\$1,784,927	\$1,784,927		
Dedicated Special Revenue.....	\$3,178,859	\$3,178,859		
Federal Trust.....	\$53,141,713	\$53,141,713		

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The Department is authorized to receive payments from localities resulting from reimbursement agreements with the Virginia Defense Force, an organization of the Virginia National Guard. The Department may disburse up to \$30,000 the first year and \$30,000 the second year from these payments to the Virginia Defense Force. Included in the appropriation for this Item is \$30,000 the first year and \$30,000 the second year from nongeneral funds for this purpose.

B. The Department of Military Affairs may operate, with nongeneral funds, a Morale, Welfare, and Recreation program for the benefit of the Virginia National Guard, Virginia Defense Force, employees of the Department, family members, and other authorized transient users of the Department's facilities, under such policies as approved by the agency.

478.	Disaster Planning and Operations (72200).....		\$0	\$0
	Communications and Warning System (72201).....	a sum sufficient		
	Disaster Assistance (72203).....	a sum sufficient		
	Fund Sources: General.....	a sum sufficient		

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The amount for Disaster Planning and Operations provides for a military contingent fund, out of which to pay the military forces of the Commonwealth when aiding the civil authorities.

B. In the event units of the Virginia National Guard shall be in federal service, the sum allocated herein for their support shall not be used for any different purpose, except with the prior written approval of the Governor, other than to provide for the Virginia State Defense Force or for safeguarding properties used by the Virginia National Guard.

C. Notwithstanding any other provision of law, when called into state active duty, not in the service of the United States, members of the National Guard and members of the Virginia Defense Force shall receive pay and allowances equal to their rank and years of service, as determined by the Department of Military Affairs. The Adjutant General may increase state active duty pay on an annual basis by a rate not to exceed the most recent percentage increase in basic pay for members of the Armed Forces.

479.	Administrative and Support Services (79900).....		\$10,231,113	\$9,645,113
	General Management and Direction (79901).....	\$7,294,381	\$6,708,381	
	Telecommunications (79930).....	\$2,936,732	\$2,936,732	
	Fund Sources: General.....	\$5,818,619	\$5,232,619	
	Dedicated Special Revenue.....	\$1,037,191	\$1,037,191	
	Federal Trust.....	\$3,375,303	\$3,375,303	

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The Department of Military Affairs shall advise and provide assistance to the Department of Accounts in administering the \$20,000 death benefit provided for certain members of the National Guard and United States military reserves killed in action in any armed conflict as of October 7, 2001, pursuant to § 44-93.1.B., Code of Virginia.

ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
B. Included in this appropriation is \$666,000 the first year and \$80,000 the second year from the general fund to replace and maintain communication equipment for emergency operations.				
C. Included in this appropriation is \$50,000 the first year and \$50,000 the second year from the general fund for a Referral Enlistment Program to qualifying individuals for the referral of applicants for service in the Virginia National Guard which result in enlistment.				
D. Included in this appropriation is \$150,000 the first year and \$150,000 the second year from the general fund for the agency's National Guard Cyber Brigade to conduct cyber security audits of local governments and state agencies.				
Total for Department of Military Affairs.....			<b>\$81,040,511</b>	<b>\$80,454,511</b>
General Fund Positions.....	86.47	86.47		
Nongeneral Fund Positions.....	316.03	316.03		
Position Level.....	402.50	402.50		
Fund Sources: General.....	\$14,283,434	\$13,697,434		
Special.....	\$1,784,927	\$1,784,927		
Dedicated Special Revenue.....	\$4,216,050	\$4,216,050		
Federal Trust.....	\$60,756,100	\$60,756,100		
<b>TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS.....</b>			<b>\$230,244,411</b>	<b>\$224,122,379</b>
General Fund Positions.....	364.47	364.47		
Nongeneral Fund Positions.....	1,428.03	1,428.03		
Position Level.....	1,792.50	1,792.50		
Fund Sources: General.....	\$58,489,674	\$52,367,642		
Special.....	\$49,719,423	\$49,719,423		
Trust and Agency.....	\$2,474,892	\$2,474,892		
Dedicated Special Revenue.....	\$5,809,050	\$5,809,050		
Federal Trust.....	\$113,751,372	\$113,751,372		

ITEM 480.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**CENTRAL APPROPRIATIONS**

**§ 1-134. CENTRAL APPROPRIATIONS (995)**

480.	Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100).....			\$10,756,833	\$10,756,833
	Interest Earned on Educational and General Programs Revenue (11106).....	\$10,756,833	\$10,756,833		
	Fund Sources: General.....	\$7,231,017	\$7,231,017		
	Higher Education Operating.....	\$3,525,816	\$3,525,816		

A. The standards upon which the public institutions of higher education are deemed certified to receive the payment of interest earnings from the tuition and fees and other nongeneral fund Educational and General revenues shall be based upon the standards provided in § 4-9.01 of this act, as approved by the General Assembly.

B. The estimated interest earnings and other revenues shall be distributed to those specific public institutions of higher education that have been certified by the State Council of Higher Education for Virginia as having met the standards provided in § 4-9.01 of this act, based on the distribution methodology developed pursuant to Chapter 933, Enactment 2, Acts of Assembly of 2005 and reported to the Chairmen of the House Appropriations Committee and Senate Finance and Appropriations Committee.

C. In accordance with § 23.1-1002, Code of Virginia, this Item provides \$4,573,395 the first year and \$4,573,395 the second year from the general fund, and \$3,525,816 from nongeneral funds in the first year and \$3,525,816 from nongeneral funds in the second year for the estimated total payment to individual institutions of higher education of the interest earned on tuition and fees and other nongeneral fund Education and General Revenues deposited to the state treasury. Upon certification by the State Council of Higher Education of Virginia that all available performance benchmarks have been successfully achieved by the individual institutions of higher education, the Director, Department of Planning and Budget, shall transfer the appropriation in this Item for such estimated interest earnings to the general fund appropriation of each institution's Educational and General program.

D. This Item also includes \$2,657,622 in the first year and \$2,657,622 the second year from the general fund for the payment to individual institutions of higher education of a pro rata amount of the rebate paid to the State Commonwealth on credit card purchases not exceeding \$5,000 during the previous fiscal year. The State Comptroller shall determine the amount owed to each certified institution, net of any payments due to the federal government, using a methodology that equates a pro rata share based upon the total transactions of \$5,000 or less made by the institution using the state-approved credit card in comparison to all transactions of \$5,000 or less using said approved credit card. By October 15, or as soon thereafter as deemed appropriate, following the year of certification, the Comptroller shall reimburse each institution its estimated pro rata share.

E. Once actual financial data from the year of certification are available, the State Comptroller and the Director, Department of Planning and Budget, shall compare the actual data with estimates used to determine the distribution of the interest earnings, nongeneral fund Educational and General revenues, and the pro rata amounts to the certified institutions of higher education. In those cases where variances exist, the Governor shall include in his next introduced budget bill recommended appropriations to make whatever adjustments to each institution's distributed amount to ensure that each institution's incentive payments are accurate based on actual financial data.

481.	Revenue Administration Services (73200).....			a sum sufficient
	Designated Refunds for Taxes and Fees (73215).....		a sum sufficient	
	Fund Sources: General.....		a sum sufficient	

Authority: Discretionary Inclusion.

A. There is hereby appropriated from the affected funds in the state treasury, for refunds of taxes and fees, and the interest thereon, in accordance with law, a sum sufficient.

ITEM 481.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

B. There is hereby established a special fund in the state treasury to be known as the Refund Suspense Fund, hereinafter referred to as the Fund. The Tax Commissioner is hereby authorized to contract with nongovernmental entities for review of requests for refunds of taxes to enhance, expand and/or modify the administration of the refund review program, and to perform analysis of refund processing techniques. The amount of any refund identified by the nongovernmental entity as potentially erroneous shall be deposited to the Fund pending review of the refund request. Amounts in the Fund may be used to pay refunds subsequently determined to be valid, to pay the contracted nongovernmental entity for its services, to perform oversight of their operations, to upgrade necessary refund processing systems and data interfaces to facilitate the contractor's work, to offset any administrative or other costs related to any contracts authorized under this provision, and to retain experts to perform analysis of refund processing techniques. Any balance in the fund remaining after such payments, or provision therefore, shall be deposited into the appropriate general, nongeneral, or local fund.

C. There is hereby appropriated from the affected funds in the state treasury for, (1) refunds of previously paid taxes imposed by the Commonwealth at 100 percent of face value up to the amount of the coalfield employment enhancement tax credit authorized by § 58.1-439.2, Code of Virginia, (2) refunds of any remaining credit at 90 percent of face value for credits earned in taxable years beginning before January 1, 2002, and 85 percent of face value for credits earned in taxable years beginning on and after January 1, 2002, and (3) payment of the remaining 10 or 15 percent credit to the Coalfields Economic Development Authority, a sum sufficient.

482.	Distribution of Tobacco Settlement (74500) a sum sufficient, estimated at.....			\$71,341,966	\$70,604,322
	Payments to Tobacco Producers and Tobacco Growing Communities (74501).....	\$60,000,000	\$60,000,000		
	Payments for Tobacco Usage Prevention (74502)....	\$11,341,966	\$10,604,322		
	Fund Sources: Trust and Agency.....	\$71,341,966	\$70,604,322		

Authority: Title 3.2, Chapters 31, 42 and 46, and Title 32.1, Chapter 14, Code of Virginia.

A.1. There is hereby appropriated a sum sufficient estimated at \$60,000,000 the first year and \$60,000,000 the second year from nongeneral funds for expenditures of securitized proceeds and earnings up to the amount transferred from the endowment to the Tobacco Indemnification and Community Revitalization Fund in accordance with § 3.2-3104, Code of Virginia. Such expenditures shall be made pursuant to § 3.2-3108, Code of Virginia.

2. From the amount deposited into the Tobacco Indemnification and Community Revitalization Fund pursuant to § 3.2-3106, Code of Virginia, shall be paid 50 percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.2-4201, Code of Virginia, and Item 61, Paragraph B of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3-1.01, Paragraph N.1, of this act.

B.1. Notwithstanding the provisions of §§ 32.1-354, 32.1-360 and 32.1-361.1, Code of Virginia, the State Comptroller shall deposit 8.5 percent of the Commonwealth's Allocation pursuant to the Master Settlement Agreement with tobacco product manufacturers to the Virginia Tobacco Settlement Fund. There is hereby appropriated a sum sufficient estimated at \$11,341,966 the first year and \$10,604,322 the second year from available balances in the fund for the purposes set forth in § 32.1-361, Code of Virginia. From the amounts deposited in the Virginia Tobacco Settlement Fund, no less than \$1,000,000 the first year and \$1,000,000 the second year shall be allocated for obesity prevention activities.

2. From the amount deposited into the Virginia Tobacco Settlement Fund shall be paid 8.5 percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.2-4201, Code of Virginia, and Item 61, Paragraph B, of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3-1.01, Paragraph N.2, of this act.

ITEM 482.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
3. Beginning November 1, 2010, and each year thereafter, the Director, Virginia Healthy Youth Foundation, shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on funding provided to community-based organizations for obesity prevention activities pursuant to § 32.1-355, Code of Virginia.				
C. The amounts deposited by the State Comptroller pursuant to paragraph B.1. of this Item shall be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524, Code of Virginia.				
D. The Virginia Foundation for Healthy Youth shall prioritize in its marketing and education efforts information regarding the health effects of vaping by teens and young adults. The foundation shall include such information in marketing materials, advertising, outreach, and social media channels.				
E. The Virginia Foundation for Healthy Youth shall provide or develop additional educational materials, resources, and professional development webinars as necessary for the Department of Education to comply with the eighteenth and nineteenth enactments of Chapter 550 of the 2021 General Assembly, Special Session I.				
483. Compensation and Benefit Adjustments (75700).....			\$331,529,061	\$627,691,772
Adjustments to Employee Compensation (75701).....	\$294,381,403	\$532,054,185		
Adjustments to Employee Benefits (75702).....	\$37,147,658	\$95,637,587		
Fund Sources: General.....	\$331,529,061	\$627,691,772		

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



ITEM 483.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

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 and Appropriations 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 \$27,979,699 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

<b>ITEM 483.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2023</b>	<b>FY2024</b>

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:

	<b>FY 2023</b>	<b>FY 2024</b>
Public school teachers	16.62%	16.62%
State employees	14.46%	14.46%
State Police Officers' Retirement System	29.98%	29.98%
Virginia Law Officers' Retirement System	24.60%	24.60%
Judicial Retirement System	30.67%	30.67%

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 \$13,231,876 the first year and \$13,807,183 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.

<b>ITEM 483.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2023</b>	<b>FY2024</b>

J.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 6.75 percent and an amortization period of 30 years.

2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System shall be:

	<b>FY 2023</b>	<b>FY 2024</b>
State employee retiree health insurance credit	1.12%	1.12%
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. 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.

5. 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.

K.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

ITEM 483.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

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.

L. 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)

ITEM 483.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p>				
<p>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.</p>				
<p>f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.</p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.</p>				
<p>e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.</p>				
<p>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.</p>				
<p>M.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</p>				

ITEM 483.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
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.				
N. 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.				
O.1. The Director, Department of Planning and Budget, shall withhold and transfer to this Item general fund amounts estimated at \$441,519 the first year and \$441,519 the second year from 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.				
2. Notwithstanding the provisions of § 9.1-401(C), Code of Virginia, any disabled person, as defined in § 9.1-400(B), Code of Virginia, who was injured in the line-of-duty in February 2016 but whose date of disability for purposes of the Line-of-Duty Act is in March 2019, shall not be subject to subdivision 4 of such subsection. Also, the spouse of such person as of the date of disability shall be considered an "eligible spouse" for purposes of continued health coverage pursuant to § 9.1-401, Code of Virginia, and will not be subject to the provisions of that definition that disqualify a spouse who ceases to be married to a disabled person, as defined in §9.1-400, Code of Virginia, or the spouse of a deceased person who remarries at any time.				
P. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at \$951,700 the first year and \$807,776 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.				
Q. 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.				
R. Out of the amounts included in this item, amounts estimated at \$4,238,857 the first year				

ITEM 483.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

and \$8,468,250 the second year from the general fund is available for transfer to state agencies and institutions of higher education to fund the increase in the Virginia minimum wage scheduled for January 1, 2023.

S.1. Out of the appropriation for this item, \$169,565,843 the first year and \$390,105,610 the second year from the general fund is provided to increase the base salary of the following employees by five percent on July 10, 2022, except those employees who will be receiving a targeted salary increase at or above 7.5 percent in fiscal year 2023 based on funding authorized in this act and are not employees of the Department of Behavioral Health and Developmental Services shall receive a 2.5 percent increase on July 10, 2022, and an additional five percent increase on June 10, 2023:

- 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.
- 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 five percent on July 10, 2022 and on June 10, 2023. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and

ITEM 483.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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.</p>				
<p>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:</p>				
<p>a. The heads of agencies in the Legislative and Judicial Departments;</p>				
<p>b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;</p>				
<p>c. The Attorney General;</p>				
<p>d. The Director of the Virginia Retirement System;</p>				
<p>e. The Director of the Virginia Lottery;</p>				
<p>f. The Director of the University of Virginia Medical Center;</p>				
<p>g. The Chief Executive Officer of the Virginia College Savings Plan; and</p>				
<p>h. The Executive Director of the Virginia Port Authority.</p>				
<p>5. The base rates of pay, and related employee benefits, for wage employees may be increased by up to five percent no earlier than July 10, 2022 and an additional five percent no earlier than June 10, 2023. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.</p>				
<p>6. The governing authorities of the state institutions of higher education may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the five percent increase on average for faculty and university staff.</p>				
<p>T.1. The appropriations in this item include funds to increase the base salary of the following employees by five percent on August 1, 2022, except those employees who will be receiving a targeted salary increase at or above 7.5 percent in fiscal year 2023 based on funding authorized in this act shall receive a 2.5 percent increase on August 1, 2022, and by an additional five percent on July 1, 2023, provided that the governing authority of such employees use such funds to support salary increases for the following listed employees.</p>				
<p>a. Locally-elected constitutional officers;</p>				
<p>b. General Registrars and members of local electoral boards;</p>				
<p>c. Full-time employees of locally-elected constitutional officers and,</p>				
<p>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.</p>				
<p>2. Out of the appropriation for Supplements to Employee Compensation is included \$44,556,991 the first year and \$113,435,166 the second year from the general fund to support the costs associated with the salary increases provided in this paragraph.</p>				
<p>U. Included in the appropriation for this item is \$6,591,337 the first year and \$14,740,641 the second year from the general fund to provide a five percent increase in base pay effective July 10, 2022 and an additional five percent effective June 10, 2023 for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.</p>				
<p>V. Included in the appropriation for this item is \$2,371,941 the first year and \$5,304,518 the second year from the general fund to provide a five percent increase in base pay effective July 10, 2022 and an additional five percent effective June 10, 2023 for graduate teaching assistants at Virginia two-year and four-year public colleges and higher education institutions.</p>				



ITEM 483.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

W.1. In addition to the amounts provided for the compensation actions authorized in paragraphs S.1., U., and V., up to \$66,517,107 the first year from the general fund shall be used to provide a one-time bonus payment of \$1,000 on December 1, 2022 to all classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials, who were employed on or before August 10, 2022 and remained employed until at least November 10, 2022.

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.

X. On or before June 30, 2023, the State Comptroller shall deposit \$25,309,001 from the general fund into the Virginia Retirement System trust fund to address the unfunded liabilities for the retiree health care plans. The Virginia Retirement System shall allocate these funds in the following manner in an effort to address the unfunded liabilities associated with the plans:

1. An amount estimated at \$24,318,170 to the health insurance credit plan for state employees; and
2. An amount estimated at \$990,831 to the health insurance credit plan for local social services employees.

Y. On or before June 30, 2024, the State Comptroller shall deposit \$55,100,000 from the general fund into the Virginia Retirement System trust fund to address the unfunded liabilities for the retiree health care plans. The Virginia Retirement System shall allocate these funds in the following manner in an effort to address the unfunded liabilities associated with the plans:

1. An amount estimated at \$52,800,000 to the health insurance credit plan for state employees;
2. An amount estimated at \$1,576,017 to the health insurance credit plan for Constitutional Officers and their employees; and
3. An amount estimated at \$723,983 to the health insurance credit plan for local social services employees.

Z.1 In addition to the amounts provided for compensation actions authorized in this Item, \$539,327 the first year from the general fund shall be used to provide a one-time bonus payment of \$3,000 on December 1, 2022 to all sworn law-enforcement employees of the Department of Conservation and Recreation and the Marine Resources Commission, who were employed on or before August 10, 2022 and remained employed until at least November 10, 2022.

2. Such employees 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.

484.	Adjustments to Designated State Agency Activities (23800).....			\$49,106,871	\$44,775,844
	Undistributed Support for Designated State Agency Activities (23801).....	\$49,106,871	\$44,775,844		
	Fund Sources: General.....	\$49,106,871	\$44,775,844		

Authority: Discretionary Inclusion

A. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes of paying rates billed by other agencies as internal service funds or for other designated state activities, as determined by the

ITEM 484.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>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 these purposes.</p>				
<p>B. 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 the designated state agency activities 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.</p>				
<p>C. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at \$30,857,397 the first year and \$30,635,540 the second year to state agencies and institutions of higher education to support the general fund portion of costs resulting from the estimated usage of technology services provided by the Virginia Information Technologies Agency.</p>				
<p>D. The Director, Department of Planning and Budget, is authorized to transfer general fund appropriation between impacted state agencies to reflect the latest estimates to support the general fund's share of state agencies' rental costs for space maintained and operated by the Department of General Services.</p>				
<p>E. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at \$920,841 the first year and \$920,841 the second year to state agencies to support the costs of information technology security audits and information security officer services.</p>				
<p>F. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at \$699,987 the first year and \$1,471,534 the second year to state agencies and institutions of higher education to recognize the general fund portion of costs resulting from changes in agency charges for the Cardinal Financial System operated by the Department of Accounts.</p>				
<p>G. The Director, Department of Planning and Budget, shall transfer from this Item amounts estimated at \$5,906,343 the first year and \$5,869,297 the second year from the general fund for the general fund share of costs for agency charges for the Cardinal Human Capital Management System operated by the Department of Accounts.</p>				
<p>H. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at \$643,683 the first year and \$487,354 the second year from state agencies and institutions of higher education to recognize the general fund portion of savings resulting from changes in agency charges for the Performance Budgeting system.</p>				
<p>I. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at \$620,995 the first year and \$620,995 the second year from executive branch agencies to recognize the savings resulting from the elimination of the Personnel Management Information System internal service fund and associated agency charges.</p>				
<p>J. The Director, Department of Planning and Budget, shall transfer from this Item general fund amounts estimated at \$1,986,981 the first year and \$1,986,981 the second year for the general fund share of changes in agency charges for property insurance premiums billed by the Department of the Treasury.</p>				
<p>K. Included in the appropriation for this item is \$10,000,000 the first year and \$5,000,000 the second year from the general fund to support cybersecurity initiatives identified by the Secretary of Administration. This amount shall remain unallotted until such time as a report detailing the planned use of funds is submitted by the Secretary of Administration to the Governor and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, no later than September 1, 2022. The Department of Planning and Budget is authorized to allot the funds 30 days following submission of the report. Of the amount provided in the first year, there is hereby reappropriated any unexpended balances remaining at the close of business on June 30, 2023.</p>				

ITEM 485.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
485.	Payments for Special or Unanticipated Expenditures (75800).....			\$15,050,000	\$4,050,000
	Miscellaneous Contingency Reserve Account (75801).....	\$1,300,000	\$1,300,000		
	Undistributed Support for Designated State Agency Activities (75806).....	\$13,750,000	\$2,750,000		
	Fund Sources: General.....	\$15,050,000	\$4,050,000		

Authority: Discretionary Inclusion.

A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to an amount not to exceed \$5,000,000 from the unappropriated balance derived by subtracting the general fund appropriations from the projected general fund revenues in this act, to provide for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall be made only when (1) sufficient funds are not available within the agency's appropriation and (2) additional funds must be provided prior to the end of the next General Assembly Session.

B.1. The Governor is authorized to allocate from the unappropriated general fund balance in this act such amounts as are necessary to provide for unbudgeted cost increases to state agencies incurred as a result of actions to enhance homeland security, combat terrorism, and to provide for costs associated with the payment of a salary supplement for state classified employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard. Any salary supplement provided to state classified employees ordered to active duty, shall apply only to employees who would otherwise earn less in salary and other cash allowances while on active duty as compared to their base salary as a state classified employee. Guidelines for such payments shall be developed by the Department of Human Resource Management in conjunction with the Departments of Accounts and Planning and Budget.

2. The Governor shall submit a report within thirty days to the Chairmen of House Appropriations and Senate Finance and Appropriations Committees which itemizes any disbursements made from this Item for such costs.

3. The governing authority of the agencies listed in this subparagraph may, at its discretion and from existing appropriations, provide such payments to their employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard, as are necessary to provide comparable pay supplements to its employees.

- a. Agencies in the Legislative and Judicial Departments;
- b. The State Corporation Commission, the Virginia Workers' Compensation Commission, the Virginia Retirement System, the Virginia Lottery, and the Virginia College Savings Plan;
- c. The Office of the Attorney General and the Department of Law; and
- d. State-supported institutions of higher education.

C. The Governor is authorized to expend from the unappropriated general fund balance in this act such amounts as are necessary, up to \$1,500,000, to provide for indemnity payments to growers, producers, and owners for losses sustained as a result of an infectious disease outbreak or natural disaster in livestock and poultry populations in the Commonwealth. These indemnity payments will compensate growers, producers, and owners for a portion of the difference between the appraised value of each animal destroyed or slaughtered or animal product destroyed in order to control or eradicate an animal disease outbreak and the total of any salvage value plus any compensation paid by the federal government.

D. Out of the appropriation for this item is included \$1,000,000 the first year and \$1,000,000 the second year from the general fund to be used by the Governor as he may determine to be needed for the following purposes:

- 1. To address the six conditions listed in § 4-1.03 c 5 of this act.

ITEM 485.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
2. To provide for unbudgeted and unavoidable increases in costs to state agencies for essential commodities, services, and training which cannot be absorbed within agency appropriations including unbudgeted benefits associated with Workforce Transition Act requirements.				
3. To secure federal funds in the event that additional matching funds are needed for Virginia to participate in the federal Superfund program.				
4. To provide a payment of up to \$100,000 to the Military Order of the Purple Heart, for the continued operation of the National Purple Heart Hall of Honor, provided that at least half of other states have made similar grants.				
5. In addition, if the amounts appropriated in this Item are insufficient to meet the unanticipated events enumerated, the Governor may utilize up to \$1,000,000 the first year and \$1,000,000 the second year from the general fund amounts appropriated for the Commonwealth's Opportunity Fund for the unanticipated purposes set forth in paragraph D.1. through paragraph D.4. of this Item.				
6. In addition, to provide for payment of monetary rewards to persons who have disclosed information of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act.				
7. The Department of Planning and Budget shall submit a quarterly report of any disbursements made from, commitments made against, and requests made for such sums authorized for allocation pursuant to this paragraph to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. This report shall identify each of the conditions specified in this paragraph for which the transfer is made.				
E. Included in this appropriation is \$300,000 the first year and \$300,000 the second year from the general fund to pay for private legal services and the general fund share of unbudgeted costs for enforcement of the 1998 Tobacco Master Settlement Agreement. Transfers for private legal services shall be made by the Director, Department of Planning and Budget upon prior written authorization of the Governor or the Attorney General, pursuant to § 2.2-510, Code of Virginia or Item 61, Paragraph D of this act. Transfers for enforcement of the Master Settlement Agreement shall be made by the Director, Department of Planning and Budget at the request of the Attorney General, pursuant to Item 61, Paragraph B of this act.				
F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any municipality which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or portion thereof, of any public facility pursuant to § 58.1-608.3, Code of Virginia, shall be entitled to all sales tax revenues generated by transactions taking place in such public facility.				
G. Any amounts appropriated in this item that remain unspent at the end of any fiscal year shall be reappropriated in the next fiscal year.				
H.1. Out of this appropriation, \$1,000,000 the first year from the general fund is provided for the City of Richmond for the Slavery and Freedom Heritage Site in Richmond, Virginia. These funds and any balances remaining from the general fund originally intended to be provided to the City of Richmond for expenses incurred for the planning and development of the Slavery and Freedom Heritage Site in Richmond, including Lumpkin's Pavilion and Slave Trail improvements may be appropriated by the Director, Department of Planning and Budget, consistent with the provisions of this paragraph. Any unexpended general fund balances remaining from the appropriation in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and reappropriated for its original purpose.				
2. The City of Richmond shall provide documentation to the Department of General Services on the progress of this project and actual expenditures incurred for it in a form acceptable to the Secretaries of Finance and Administration.				
3. The Department of General Services shall act as the fiscal agent for these funds. The director shall oversee the expenditure of state appropriations to ensure that payments to the City of Richmond are made consistent with the purposes set out in paragraphs and The Director, Department of Planning and Budget, is authorized to transfer these funds to the Department of General Services to implement this appropriation.				

ITEM 485.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
4. This appropriation shall be exempt from the disbursement procedures specified in § 4-5.05 of the act.				
5. Any remaining funds contained in paragraph H.1. above for the purposes enumerated shall be made available to the City of Richmond upon the receipt of planning and development information by the Department of General Services. The Director of the Department of Planning and Budget shall provide the additional funds at the request of the Department of General Services as the fiscal agent for this project.				
I. Out the appropriation for this item is included \$2,500,000 the first year and \$2,500,000 the second year from the general fund to be provided to state agencies to facilitate and improve language access.				
J.1. Out of this appropriation, \$10,000,000 the first year from the general fund shall be available for transfer to state agencies to implement government transformation initiatives identified by the Chief Transformation Officer and approved by the Governor. Prior to the transfer of any funds, the Chief Transformation Officer shall submit a plan detailing the intended use of the funds to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.				
2. The Secretary of Finance, in consultation with the Chief Transformation Officer, shall authorize the transfer of amounts from this item in support of the transformation initiatives identified pursuant to the preceding subparagraph.				
3. The Chief Transformation Officer shall provide quarterly program updates, to include the status of projects and amounts expended per project, to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees beginning October 1, 2022.				
K. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund is provided for distribution to state agencies for the general fund share of costs related to increased rates for the Department of General Services to perform lease administration services.				
L. From such general fund revenues as are collected for fiscal year 2022 in excess of the official fiscal year 2022 revenue estimate included in the final 2020-2022 biennial appropriation act adopted in the 2022 Special Session I, the first \$585,000,000, or portion thereof, that is not required to meet a Constitutionally-mandated deposit to the Revenue Stabilization Fund or the Water Quality Improvement Fund Part A deposit, shall be reserved by the Comptroller in the Committed Fund Balance for the following purposes in priority order during the first year: \$250,000,000 for a lump sum payment to the Virginia Retirement System to address the unfunded liability for the statewide plans; \$150,000,000 for a deposit to the highway share of the Transportation Fund to improve Interstate 64 between exit 205 and exit 234; \$50,000,000 for deposit to the Virginia Business Ready Sites Program Fund; \$100,000,000 for allocation to the 2022 Capital Supplement Pool (Item C-69.60 of the 2020-2022 Appropriation Act); and \$35,500,000 for deposit to the Major Headquarters Workforce Grant Fund.				
486. Disaster Planning and Operations (72200).....			\$1,053,644,384	\$147,865,262
Pandemic Response (72211).....	\$1,053,644,384	\$147,865,262		
Fund Sources: Federal Trust.....	\$1,053,644,384	\$147,865,262		

A.1. The appropriation for this Item includes an amount estimated at \$902,022,198 in the first year and \$96,803,707 in the second year from the revenues to be received from distributions of the federal State and Local Recovery Fund (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA).

2. The following appropriations shall be transferred from this Item for the following purposes:

a. Unemployment Assistance

1) \$17,600,000 in the first year to the Virginia Employment Commission (182) for the continuation of funding for information technology modernization, call center

ITEM 486.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>improvements, security, and claims adjudication. Information technology improvements shall include a customer relationship management system and other such communication tools to better serve Unemployment Insurance clients.</p>				
<p>b. Broadband</p>				
<p>1) \$750,000 in the first year and \$750,000 in the second year to the Department of General Services (194) for the continuation of funding for legal and real estate transaction support for agencies that own property to support broadband expansion.</p>				
<p>2) \$8,000,000 in the first year to the Department of Housing and Community Development (165) for the continuation of funding for a Line Extension Customer Assistance Program to support the extension of existing broadband networks to low-to-moderate income residents.</p>				
<p>c. Dairy Industry Support</p>				
<p>1) \$2,000,000 in the first year to the Department of Agriculture and Consumer Services (301) to provide dairy industry support to mitigate pandemic losses.</p>				
<p>2) \$1,000,000 in the first year to the Department of Agriculture and Consumer Services (301) to support the business operations of 4-H Educational Centers across the Commonwealth.</p>				
<p>d. Other small business</p>				
<p>1) \$27,600,000 in the first year to the Department of Housing and Community Development (165) for the continuation of funding to support the Virginia Removal or Rehabilitation of Derelict Structures Fund program. Notwithstanding § 36-155, Code of Virginia, for the purposes of this funding, the maximum grant amount shall be \$5,000,000 for projects in economically distressed areas, and any grant award in excess of \$1,000,000 for projects in economically distressed areas shall be conditioned upon a 100 percent match of local and/or private funds by the local government. The funds shall be managed and awarded through the Industrial Revitalization Fund process; however, the department may adjust the criteria to reflect the provisions established by the U.S. Department of the Treasury's rules and regulations regarding the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act. Pursuant to these provisions, DHCD shall increase project cap amounts and consider updates to program guidelines that make more projects viable, especially in communities disproportionately impacted by the pandemic. Where the proposed project's end user is a private business, DHCD shall include evaluation criteria that incentivizes significant private investment. Included in these amounts \$2,600,000 is hereby directed to an eligible grantee for a community revitalization project. An eligible grantee for the purposes of this paragraph is a locality in the Crater Planning District Commission awarded a grant during the 2022 Industrial Revitalization Fund grant round, announced in October of 2021. As a condition of the release of these funds, the eligible grantee must enter into a Memorandum of Understanding (MOU) with the Department of Housing and Community Development that guarantees a lien against the property equivalent to the total amount of state grants and awards used to demolish or renovate the structures associated with this project and further testify to its legal authority to demolish or renovate the structures associated with the project.</p>				
<p>2) \$4,000,000 in the first year to the Department of Housing and Community Development (165) to support the Virginia Main Street program in providing assistance to businesses recovering from the COVID-19 pandemic.</p>				
<p>e. Food Access</p>				
<p>1) \$11,000,000 in the first year to the Department of Agriculture and Consumer Services (301) for the continuation of the Virginia Agriculture Food Assistance Program established in § 3.2-4783, Code of Virginia, and to expand the capacity of Virginia's network of food providers to accept, store, and distribute food products.</p>				
<p>2) \$3,500,000 in the first year to the Department of Social Services (765) for the Virginia Federation of Food Banks for the purchase of food to be distributed through food banks across the Commonwealth.</p>				
<p>f. Drinking Water, Wastewater, and CSOs</p>				

ITEM 486.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
1) \$1,600,000 in the first year and \$4,150,000 in the second year to the Department of Health (601) for the continuation of funding to provide improvement funds for well and septic systems for homeowners at or below 200 percent of the federal poverty guidelines.				
2) \$165,000,000 in the first year to the Department of Environmental Quality (440) for additional grants to the City of Alexandria, Virginia Sanitation Authority and the cities of Lynchburg and Richmond to pay a portion of the costs of combined sewer overflow control projects. The City of Alexandria, Virginia Sanitation Authority is to receive \$40,000,000; the City of Lynchburg is to receive \$25,000,000; and the City of Richmond is to receive \$100,000,000.				
3) \$75,900,000 in the first year to the Department of Environmental Quality (440) for grants to the City of Fredericksburg and King George County Service Authority for wastewater projects; to the Towns of Wachapreague, Accomac, Parksley, and Exmore for sewer projects; to the Town of Quantico for water and sewer improvements; and to the City of Falls Church for stormwater improvements. The City of Fredericksburg is to receive \$27,000,000; the King George County Service Authority is to receive \$16,000,000; the Town of Wachapreague is to receive \$2,400,000; the Town of Exmore is to receive \$3,500,000; the Town of Accomac is to receive \$4,500,000; the Town of Parksley is to receive \$1,500,000; the Town of Quantico is to receive \$17,000,000; and the City of Falls Church is to receive \$4,000,000.				
4) \$25,000,000 in the first year and \$25,000,000 in the second year to the Department of Health (601) for the continuation of funding to support equal access to drinking water at small and disadvantaged community waterworks. These funds shall be limited in their use to qualifying municipal and private drinking water projects and shall not be used for improvements to the department's internal systems or processes.				
5) \$5,700,000 in the first year to the Department of Environmental Quality (440) for grants to the Town of Colonial Beach for water and sewer improvements.				
6) \$29,551,500 the first year to the Department of Environmental Quality (440) for grants to the City of Petersburg for water and wastewater upgrades at Poor Creek Pump Station.				
7) \$10,000,000 in the first year to the Department of Conservation and Recreation (199) for improvements to identified high hazard water impounding structures consistent with the provisions of the Dam Safety, Flood Prevention, and Protection Assistance Fund established pursuant to § 10.1-603.17, Code of Virginia.				
8) \$150,000 in the first year to the Department of Health (601) for the Town of Goshen for repairs to their water storage tank.				
9) \$325,000 the first year to the Department of Environmental Quality (440) for a grant to the Town of Occoquan for outfall sediment removal projects and for stormwater dredging activities.				
10) \$3,000,000 the first year to the Department of Environmental Quality (440) for a grant to the Town of Dumfries to support Municipal Separate Storm Sewer System permit activities.				
11) \$3,000,000 the first year to the Department of Environmental Quality (440) for a grant to the County of Prince William to assist with the connection of Bristow Manor to the Prince William County wastewater collection system.				
g. Mental Health				
1) \$45,719,411 in the first year to Mental Health Treatment Centers (792) for salary adjustments for direct care staff at state behavioral health facilities and intellectual disability training centers.				
2) \$700,000 in the first year to Mental Health Treatment Centers (792) to expand Telehealth Capability at DBHDS State Facilities.				
3) \$6,695,369 in the first year to Intellectual Disabilities Training Centers (793) for salary adjustments for direct care staff at state behavioral health facilities and intellectual disability training centers.				

ITEM 486.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
4) \$5,370,806 in the first year to the Virginia Center for Behavioral Rehabilitation (794) for salary adjustments for direct care staff at state behavioral health facilities and intellectual disability training centers.				
5) \$20,000,000 in the first year to Grants to Localities (790) for the continued expansion of community-based crisis services.				
6) \$1,200,000 in the first year to the Department of Behavioral Health and Developmental Services (720) for the continuation of funding for the purchase of personal protective equipment at state facilities.				
7) \$1,650,000 in the first year to the Department of Behavioral Health and Developmental Services (720) for the continuation of funding to continue an expanded pilot program in FY 2023 to serve approximately 60 additional individuals with a primary diagnosis of dementia who are ready for discharge from state geriatric behavioral health hospitals to the community and who are in need of nursing facility level care. Funding for the pilot program shall be dependent upon an agreement between the department and the Community Services Board in the jurisdiction the pilot program is located.				
8) \$1,500,000 in the first year to the Department of Criminal Justice Services (140) for the continuation of funding to provide resources for crisis intervention team training to law-enforcement officers and dispatchers, and one position to provide technical assistance in support of the mental health awareness response and community understanding services (Marcus) alert system.				
9) \$22,245,501 in the first year to Grants to Localities (790) for the continued support of STEP-VA community-based mental health services.				
h. Substance Use Disorder				
1) \$2,000,000 in the first year and \$3,000,000 in the second year to the Department of Health (601) for the continuation of funding for substance misuse and suicide prevention efforts.				
2) \$5,000,000 in the first year to Grants to Localities (790) for the continuation of funding to expand community-based substance use disorder treatment services.				
3) \$250,000 in the first year to the Department of Health (601) to contract with the Carilion Clinic for a pilot program to study, operationalize, determine barriers, and report on Opioid Education and Naloxone Distribution in the emergency department (ED) to high-risk opioid use disorder and opioid overdose patients who present in the ED.				
i. Public Health Initiatives				
1) \$2,378,000 in the first year and \$2,378,000 in the second year to the Department of General Services (194) for the continuation of funding to include customer support upgrades and Laboratory Information Management System (LIMS) infrastructure, development, and improvement.				
2) \$3,750,000 in the first year to the Department of Housing and Community Development (165) for the continuation of funding for a dedicated lead rehabilitation program to address childhood lead poisoning in residential properties.				
3) \$10,000,000 in the first year and \$10,000,000 in the second year to the Department of Health (601) for the continuation of funding for the procurement and deployment of an electronic health records system.				
4) \$15,000,000 in the first year and \$25,000,000 in the second year to the Department of Health (601) for the continuation of funding for the modernization of administrative systems and software in order to create response capacity during future emergencies.				
5) \$10,000,000 in the first year and \$10,000,000 in the second year to the Department of Health (601) for the continuation of funding for a records management system that will digitize and automate records processes.				



ITEM 486.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
6)	\$5,000,000 in the first year to the Department of Health (601) to contract with the Virginia Association of Free and Charitable Clinics for pandemic-related costs incurred by free and charitable clinics in Virginia.			
7)	\$5,000,000 in the first year to the Department of Medical Assistance Services (602) for the continuation of funding to address operational backlogs by hiring contractors to assist with eligibility re-evaluations and member appeals. Funding may be used to perform COVID-19 related outreach and engagement activities, make information technology system changes, and to support overtime costs at local departments of social services.			
8)	\$5,000,000 in the first year to the Department of Social Services (765) to upgrade mission critical network infrastructure.			
9)	\$1,587,200 in the first year and \$1,892,500 in the second year to the Department for Aging and Rehabilitative Services (262) for the continuation of funding fund HVAC/air quality systems and physical plant improvements in assisted living facilities that serve a disproportionate share of auxiliary grant residents.			
10)	\$34,000,000 the first year to the Department of Medical Assistance Services to make payments to Virginia hospitals for COVID-19 related auditable costs including vaccine clinic and additional workforce expenses that have not been reimbursed through other federal relief programs available for this purpose.			
11)	\$7,175,000 the first year to the Eastern Virginia Medical School for HVAC renovations at Lewis Hall.			
12)	\$9,718,539 in the first year to the Department of Medical Assistance Services (602) to reimburse local government-owned nursing homes for unreimbursed expenses and lost revenue due to the impact of COVID-19.			
j.	Addressing Community Violence			
1)	\$75,000 in the first year to the Department of State Police (156) for the continuation of funding for the purchase of equipment used to analyze firearms evidence.			
2)	\$6,000,000 the first year and \$3,000,000 the second year to the Department of Criminal Justice Services (140) to support services to victims of crime including, but not limited to, services for victims of sexual assault and domestic violence. The department shall use these funds to support sexual assault and domestic violence applicants of the Victims Services Grant Program.			
3)	\$200,000 in the first year to the Department of Criminal Justice Services (140) for a one-time appropriation to the City of Chesapeake for the purchase of equipment used to analyze firearms evidence.			
k.	Public Safety			
1)	\$532,086 in the first year and \$532,086 in the second year to the Department of Corrections (799) for the continuation of funding for five staff positions to support COVID-19 project management activities.			
2)	\$45,000 in the first year and \$45,000 in the second year to the Department of Corrections (799) for the continuation of funding to reimburse the contractor that operates the Lawrenceville Correctional Center for the cost of personal protective equipment (PPE).			
3)	\$3,055,000 in the first year to the Department of Corrections (799) to expand video visitation in correctional facilities.			
4)	\$418,121 in the first year and \$418,121 in the second year to the Department of Emergency Management (127) for the continuation of funding for Virginia Emergency Support Team (VEST) COVID-19 recovery activities and four support staff.			
5)	\$600,000 in the first year to the Department of Juvenile Justice (777) for the continuation of funding for mobile smartphones for agency staff.			

ITEM 486.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
6)	\$1,380,000 in the first year to the Department of State Police (156) for the continuation of funding to support live scan fingerprinting machines for the agency's area offices.			
7)	\$75,000,000 in the first year to the Department of Criminal Justice Services (140) to make one-time grants to state and local law enforcement agencies located in the Commonwealth, including colleges and universities, local and regional jails for the purpose of training and purchasing equipment and supplies to support law enforcement related activities, excluding equipment for which one-time equipment grants were appropriated from the general fund in Item 406, Chapter 552, 2021 Acts of Assembly. Of the amount provided, no less than \$60,000,000 shall be provided for the support of local law enforcement agencies. Of the amount provided, the Director, Department of Criminal Justice Services, is authorized to recover reasonable, one-time costs related to administering this grant program. Any distribution made to a local law enforcement agency shall not require a local match. The Department shall report on the distributions made to the Governor, the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees, and the Secretary of Finance by November 1, 2023.			
8)	\$8,820,000 in the first year to the Department of Corrections (799) for air conditioning installation and associated costs in correctional facilities.			
	l. Health Care Safety Net			
1)	\$38,057,684 in the first year to the Department of Medical Assistance Services (602) to continue a 12.5 percent increase in rates for certain Medicaid home and community-based services that was implemented in fiscal year 2022 and is set out Item 304.			
	m. ARPA Reporting			
1)	\$500,000 in the first year and \$500,000 in the second year to the Department of Accounts (151) for the cost of supporting ARPA reporting requirements.			
2)	\$600,000 in the first year for the Secretary of Finance to engage internal or third-party assistance for additional administrative oversight of executive branch agency Coronavirus State and Local Fiscal Recovery Fund expenditures.			
	n. Education			
1)	\$3,500,000 in the first year to Direct Aid to Public Education (197) to support a one-time grant to the United Way of Southwest of Virginia to increase childcare capacity in southwest Virginia.			
2)	\$4,000,000 in the first year to Direct Aid to Public Education (197) to supplement the 21st Century Community Learning Centers Program in Item 138. These funds shall be awarded to community-based organizations partnering with school divisions for after-school, before-school, and summer learning programs to provide additional instructional opportunities to combat learning loss for school-age children attending high-poverty, low-performing schools. The Department may contract with the Virginia Partnership for Out-of-School Time to assist applicants with obtaining the required licensure and to provide best practices and support to grantees.			
3)	\$10,000,000 the first year shall be transferred to Direct Aid to Public Education (197) to support recruitment efforts through incentive payments to individuals hired to fill instructional positions between August 15, 2022, and November 30, 2022. Local school divisions desiring to participate in this program shall report to the Department of Education the number of instructional position vacancies on August 15, 2022, no later than August 31, 2022. The Department of Education shall report the August 15, 2022 instructional vacancy data to the Secretary of Education and the General Assembly by October 1, 2022. Based on this information, the Department shall communicate to each school division its available allocation from these funds, and school divisions shall communicate the availability of these funds in their recruitment. Such payments shall be based on \$2,500 per individual; however, for individuals hired in hard-to-fill positions or hard-to-staff schools, as defined by the Department of Education, the incentive payment shall be based on \$5,000 per individual. The Department of Education and the school divisions are authorized to prorate these amounts if the demand exceeds the initial allocation. School divisions shall (i) provide half of the incentive payment to the individual no earlier than January 1, 2023, and (ii) provide the			

ITEM 486.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024

balance of the full amount of the incentive payment to the individual no earlier than May 1, 2023, provided that the individual receives a satisfactory performance evaluation and provides a written commitment to return to the same school in the 2023-2024 school year. Individuals who are employed by a local school division in Virginia as of July 1, 2022, who accept an otherwise qualifying position in another local school division are not eligible for this incentive. Individuals employed by a local school division as of July 1, 2022, who transfer from a non-hard-to-staff school to a hard-to-staff school, as defined by the Department of Education, within the same division are eligible for the \$5,000 incentive payment. School divisions shall report to the Department of Education, in a format specified by the Department, all instructional hires in the 2022-2023 school year who qualify for this incentive payment, no later than November 30, 2022. No later than January 5, 2023, the Department of Education shall report to the House Appropriations Committee and the Senate Finance and Appropriations Committee on the number of hires reported by each school division participating in this program and the anticipated amount of funding to be provided to each school division for payment to those individuals.

4) \$3,500,000 in the first year to the Department of Education, Central Office Operations (201), for the provision of a contract to assist public school divisions with outreach and support for disengaged, chronically absent, or struggling students in response to the COVID-19 pandemic. The statewide program shall be contracted with a provider that has experience in providing state-wide attendance recovery to at-risk students and can scale to provide multi-modal outreach and academic coaching support to over 15,000 students by the end of calendar year 2023.

5) \$5,138,000 in the second year to the Department of Education (201) to support the provision of a statewide Learning Management System to all local public school divisions in Virginia.

6) \$5,000,000 in the second year to the Department of Education (201) for continued support of the through-year growth assessment system for grades three through eight, pursuant to the provisions of Chapter 443 and Chapter 444, 2021 Special Session I.

7) \$130,122,981 to Direct Aid to Public Education (197) to provide a one-time pandemic bonus payment of \$1,000 on December 1, 2022, for funded SOQ instructional and support positions and for Academic Year Governor’s School and Regional Alternative Education Program instructional and support positions, as a provision of government services pursuant to the State and Local Fiscal Recovery Funds from the American Rescue Plan Act of 2021. These funds cover the entire cost of the \$1,000 bonus for funded SOQ instructional and support positions and Academic Year Governor’s School and Regional Alternative Education Program instructional and support positions. The funds for which a division is eligible to receive shall require no match by the local government. Localities are encouraged to use additional available funds to provide pandemic bonuses to other eligible school instructional and support positions.

3.a. Prior to initiating any program, service, or spending from the appropriations listed in paragraph 2. above, the responsible agency must ensure that its intended action qualifies for the use of the funds under the ARPA criteria to support health expenditures, to address negative economic impacts caused by the public health emergency, to provide premium pay for essential workers, or to invest in water, sewer, and broadband infrastructure as described in the Interim Final Rule or the guidance issued by the U.S. Department of Treasury. Agencies shall not rely on the provisions for replacing lost public sector revenue as a qualifying criteria without receiving prior written approval from the Governor.

b. Agencies must ensure compliance with all use, documentation, and reporting requirements established in state and federal guidelines and laws.

4. The Governor is authorized to appropriate additional amounts not listed above if they must be executed before the 2023 regular session of the General Assembly to protect the public health in order to respond to a public health emergency or to prevent the emergence of a new health emergency. The Governor shall provide written notice to the chairpersons of the House Appropriations Committee and the Senate Finance and Appropriations Committee no less than five business days prior to appropriating such amounts.

B.1. The appropriation in this item includes an amount estimated at \$151,622,186 in the

ITEM 486.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
first year and \$51,061,555 in the second year from the estimated revenues to be received pursuant to the American Rescue Plan Act of 2021 (ARPA) from grants other than the State and Local Recovery Fund (SLRF). The following appropriations shall be transferred from this item to the following:				
<b>ARPA Fund Source / Grant</b>	<b>State Agency</b>	<b>FY 2023 Appropriation</b>	<b>FY 2024 Appropriation</b>	
Crisis Response Cooperative Agreement (CDC)	Department of Health (601)	\$25,460,480	\$2,000,000	
Epidemiology and Lab Capacity for School Testing (CDC)	Department of Health (601)	\$84,838,264	\$7,069,855	
Epidemiology and Lab Capacity for Confinement Settings (CDC)	Department of Health (601)	\$6,976,200	\$6,976,200	
COVID-19 Vaccine Preparedness Adjustment (CDC)	Department of Health (601)	\$12,557,027	\$12,557,027	
Maternal, Infant and Early Childhood Home Visiting Grant Program (HRSA)	Department of Health (601)	\$439,674	\$109,918	
Disease Intervention Workforce (CDC)	Department of Health (601)	\$4,519,512	\$4,519,512	
AmeriCorps (CNCS)	Department of Social Services (765)	\$2,262,662	\$2,562,662	
Family Violence Prevention and Services (ACF)	Department of Social Services (765)	\$4,694,940	\$7,434,005	
Homeless Service Sites & Congregate Settings (ELC)	Department of Health (601)	\$575,688	\$575,688	
Strengthening HAI & AR Program Capacity (SHARP) (ELC)	Department of Health (601)	\$3,270,588	\$3,270,588	
Nursing Home & Long-term Care Facility Strike Teams - SNF (ELC)	Department of Health (601)	\$2,003,832	\$2,003,832	
Nursing Home & Long-term Care Facility Strike Teams - NH & LTC (ELC)	Department of Health (601)	\$1,982,268	\$1,982,268	
Travelers Health Year 2 (ELC)	Department of Health (601)	\$277,083	\$0	
Maternal, Infant and Early Childhood Homevisiting Grant Program	Department of Health (601)	\$1,763,968	\$0	

2. The Director of the Department of Planning and Budget is authorized to adjust the amounts appropriated in paragraph B.1. above to reflect the actual revenues received by the Commonwealth for each grant.

3.a. Agencies are authorized to initiate spending from these appropriations in order to provide one-time services for purposes authorized and permitted under federal law and in accordance with the guidance issued by the U.S. Department of Treasury and other applicable federal agencies, or to execute requirements of federal law that must be initiated. No such spending shall be initiated for programs or services that create an ongoing commitment of state resources after the conclusion of the federal grant unless such services are required by federal law.

b. Prior to initiating any program, service, or spending from these appropriations, the responsible agency must provide written notification of its intended action to the Governor, the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee, and the Director of the Department of Planning and Budget. Such notice shall be provided no less than ten business days before an agency initiates services or

ITEM 486.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

incurs any costs associated with the grant. For purposes of this section, initiating a program includes any public announcement or proposal presented to constituent groups.

c. If an agency wishes to spend any amounts from these grants for purposes that create an ongoing commitment that must be maintained by state resources after the conclusion of the federal grant, it must receive prior approval and authorization of the General Assembly. Agencies must submit such proposals to the Department of Planning and Budget for consideration by the Governor and the General Assembly in the 2023 session of the General Assembly.

d. Agencies must ensure compliance with all use, documentation, and reporting requirements established in state and federal guidelines and laws.

e. The Governor is authorized to appropriate any additional grants not listed above if they must be executed before the 2023 regular session of the General Assembly. The Governor shall provide written notice to the chairpersons of the House Appropriations Committee and the Senate Finance and Appropriations Committee no less than five business days prior to appropriating such grants.

C. Temporary nurse aides practicing in long term care facilities under the federal Public Health Emergency 1135 Waiver may be deemed eligible by the Board of Nursing while this waiver is in effect, and in the four-month period from the end of this waiver, to take the National Nurse Aide Assessment Program examination upon submission of a completed application, the employer's written verification of competency and employment as a temporary nurse aide, and provided no other grounds exist under Virginia law to deny the application.

D. Any amounts appropriated in this item that remain unspent at the end of any fiscal year shall be reappropriated in the next fiscal year to be spent for the same purposes as stated in this act.

487.	Educational and General Programs (10000).....			\$31,800,000	\$31,800,000
	Higher Education Instruction (10001).....	\$31,800,000	\$31,800,000		
	Fund Sources: General.....	\$31,800,000	\$31,800,000		

A. Out of this appropriation, \$31,800,000 the first year and \$31,800,000 the second year from the general fund is designated for the Tech Talent Investment Fund. These funds shall be allocated in accordance with provisions established in §23.1-1239 through §23.1-1243, Code of Virginia, and shall be used to support the efforts of qualified institutions to increase by fiscal year 2039 the number of new eligible degrees by at least 25,000 more degrees than the number of such degrees awarded in 2018 and to improve the readiness of graduates to be employed in technology-related fields and fields that align with traded-sector growth opportunities identified by the Virginia Economic Development Partnership. Funds may be used to support admissions and advising programs designed to convey labor market information to students to guide decisions to enroll in eligible degree programs and academic programs and to fund facility construction, renovation, and enhancement and equipment purchases related to the initiative to increase the number of eligible degrees awarded.

B. Prior to an allocation from the Fund, institutions must enter into a Memorandum of Understanding (MOU) through a negotiation process between the institution and the Commonwealth. The MOU shall contain criteria for eligible degrees, eligible expenses, and degree production goals for a period ending in 2039. In addition, each institution shall (i) submit an enrollment plan detailing the number of eligible degrees produced between July 1, 2013, and June 30, 2018; (ii) develop a detailed plan of how the institution proposes to materially increase the enrollment, retention, and graduation of students pursuing eligible degrees, the resources necessary to accomplish such increase in enrollment, retention, and graduation, and plans to track new enrollment; (iii) provide an accounting of the anticipated number of in-state and out-of-state students enrolling in eligible degree programs; (iv) determine the existing capacity of current eligible degree programs; (v) propose plans to partner with other institutions to provide courses or programs that will lead to the completion of an eligible degree including articulation agreements with the Virginia Community College System to provide guaranteed

ITEM 487.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

admission for qualified students with an associate degree for transfer into an eligible degree program; (vi) allocate existing funds held by or appropriated to the institution to meet increased enrollment, retention, and graduation goals in eligible degree programs; and (vii) provide any other information deemed relevant.

C. Failure of an institution to meet the goals, metrics, and requirements set forth in its memorandum of understanding shall result in the adjustment of any future allocations from the Fund to the institution to reflect such discrepancy.

D. Notwithstanding §23.1-1242 of the Code of Virginia, for the 2020-22 biennium eligibility for grant payments shall be determined by the requirements stipulated in each institution's MOU. The designated reviewers shall propose any needed technical adjustments for consideration during the 2023 Session.

487.10	Financial Assistance For Educational and General Services (11000).....			\$350,000	\$0
	Sponsored Programs (11004).....	\$350,000	\$0		
	Fund Sources: General.....	\$350,000	\$0		

A. Out of this appropriation, \$350,000 the first year from the general fund is designated to evaluate the need for a regional Data Science Innovation Hub by higher education research institutions in the Hampton Roads and Tidewater area.

B. The State Council of Higher Education for Virginia shall convene a workgroup comprised of the College of William and Mary in Virginia, Old Dominion University, Norfolk State University, Christopher Newport University and Jefferson Labs for the expressed purpose of assessing need and, potentially, developing a plan for a Data Science Innovation Hub and the possible roles for the specific institutions.

C. The Director, Department of Planning and Budget shall transfer from this item, \$350,000 the first year from the general fund to the Council for costs associated with this planning.

487.50	Miscellaneous Undistributed Appropriations (75600).			\$16,000,000	\$17,000,000
	Miscellaneous Undistributed Appropriations (75601).	\$16,000,000	\$17,000,000		
	Fund Sources: General.....	\$16,000,000	\$17,000,000		

A. Out of this appropriation, \$16,000,000 the first year and \$17,000,000 the second year from the general fund is designated for workforce development training. Oversight ahead of all funding transfers outlined below shall be coordinated and released by the Secretary of Education, the Secretary of Finance, the director of the Department of Planning and Budget, the director of the State Council of Higher Education for Virginia, the staff directors of the House Appropriation and Senate Finance and Appropriations Committees, and the director of the Virginia Economic Development Partnership. Additionally, the designated reviewers shall collaborate with the Superintendent of Public Instruction before approving spending plans supporting the Direct Aid to Public Education (197) funding area. Upon approval, the Department of Planning and Budget shall transfer to each agency the following amounts for this purpose:

Institution	Fiscal Year 2023	Fiscal Year 2024
State Council for Higher Education of Virginia (245)	\$3,000,000	\$10,000,000
Virginia Community College System (260)	10,000,000	4,500,000
Direct Aid to Public Education (197)	3,000,000	0
Virginia Economic Development Partnership (310)	0	2,500,000
<b>Total</b>	<b>\$16,000,000</b>	<b>\$17,000,000</b>

B. 1. Out of the above appropriation, \$3,000,000 the first year and \$10,000,000 the second year from the general fund supports the Innovative Internship Fund and Program, § 23.1-903.4, Code of Virginia. This funding is designated to expand paid or credit-bearing student internships and other work-based learning experiences in collaboration with Virginia

ITEM 487.50.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
employers so that, over time, every Virginia undergraduate student who wants such an opportunity may access it without extending time to completion of undergraduate study.				
2.a. Out of the above appropriation, \$8,000,000 the first year from the general fund is designated for G3 Innovation Grants.				
b. The Virginia Community College System (VCCS), in collaboration with the Office of Education and Labor Market Alignment within the Virginia Economic Development Partnership Authority System, and in accordance with § 23.1-2911.2 D., shall award grants to community colleges in order to increase the capacity and responsiveness of colleges to meet regional labor market needs of employers, unemployed and underemployed workers, and incumbent workers.				
3. Out of the above appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the general fund is designated for the Virginia Community College System to support the Network2Work program, connecting job seekers to training and career resources.				
4. Out of the above appropriation, \$2,500,000 the second year from the general fund is designated for economic development programming under the Hampton Roads Skilled Trades Rapid On-ramp Network for Growth (STRONG) initiative, as funded under VCCS. The Virginia Community College System shall collaborate with the Hampton Roads Workforce Council to support career access and training opportunities in the naval shipbuilding, offshore wind, and road and tunnel construction industries.				
5.a. Out of the above appropriation, \$2,500,000 the second year from the general fund is designated for the Advanced Manufacturing Talent Investment Program and Fund pilot, as established by Chapter 499 and Chapter 500, 2022 Acts of Assembly. These funds shall be allocated by the Virginia Economic Development Partnership in accordance with provisions established in § 23.1-1244 and shall be used to increase the number of trained individuals entering advanced manufacturing careers. Moneys in the Fund shall be used to support this effort and to improve the readiness of graduates to be employed in identified advanced manufacturing fields.				
b. The pilot shall be limited to existing programs that serve advanced manufacturing needs in the Hampton Roads and Southwest Virginia regions. Such programs may be operated by one or more of the following: (i) a comprehensive community college; (ii) a career and technical education program operated by a local school board or a group of school boards; (iii) the Institute of Advanced Learning and Research; (iv) the New College Institute; (v) Richard Bland College; (vi) the Roanoke Higher Education Center; (vii) the Southern Virginia Higher Education Center; or (viii) the Southwest Virginia Higher Education Center. Program applicants shall be encouraged to partner with regional businesses and industries on program development and implementation.				
c. The existing capacity of current eligible credential programs and awards shall not duplicate underutilized existing programs within the same region.				
d. Recipients of program funding under the pilot shall submit reports on the progress of their programming to the Governor, the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee, and relevant staff no later than June 30, 2024.				
6. Out of this appropriation, \$3,000,000 the first year from the general fund is provided for competitive grants to school divisions to increase the teaching of students in skilled trades that lead to earning industry-recognized certifications or credentials. These grants shall provide one-time assistance to divisions to establish, expand, or restore such programs in middle or high school. These grants shall support programs offering industry-recognized certifications or credentials that are in demand by regional employers and lead to employment. Funds shall be used to support equipment, curriculum development and instructor training. The Department of Education shall establish application guidelines, including a requirement for school divisions to provide an operational plan to maintain the program after the funds are disbursed.				

488. A. The Oil Overcharge Expendable Trust Fund shall be established on the books of the

ITEM 488.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>Comptroller and the interest earned by investment of funds credited to the Oil Overcharge Expendable Trust Fund shall be allocated to such fund periodically. This fund represents the Commonwealth's proportionate share of the recoveries from the Exxon Corporation, Diamond Shamrock Refining and Marketing Company, Stripper Well and the Texaco Corporation litigations, for petroleum pricing violations between 1973 and 1981.</p> <p>B.1. Any expenditure involving oil overcharges by the Exxon Corporation shall be utilized according to regulations and procedures of the five state energy conservation and benefits programs specified in the Warner Amendment (Section 155, P.L. 97-377) to provide restitution to the broad class of parties injured by the alleged overcharges. These programs are:</p> <p>a. Low Income Home Energy Assistance Program, 42 U.S.C. § 8621 et seq.</p> <p>b. State Energy Conservation Program, 42 U.S.C. § 6321 et seq.</p> <p>c. Energy Extension Service, 42 U.S.C. § 7001 et seq.</p> <p>d. Institutional Conservation Program, 42 U.S.C. § 6371 et seq.</p> <p>e. Weatherization Assistance Program, 42 U.S.C. § 6861 et seq.</p> <p>2. Any expenditure involving oil overcharges from the approved settlement In Re: The Department of Energy Stripper Well Litigation (MDL No. 378) or the approved settlement in the case of the Diamond Shamrock Refining and Marketing Company (Civil Action No. C2-84-1432) shall be utilized to fund one or more energy-related programs which are designed to benefit, directly or indirectly, consumers of petroleum products. These programs shall be limited to:</p> <p>a. Administration and operation of the five energy conservation and benefit programs specified under the Warner Amendment (Section 155, P.L. 97-377),</p> <p>b. Those programs approved by the U.S. Department of Energy's Office of Hearings and Appeals in Subpart V Refund Proceedings,</p> <p>c. Those programs referenced in the Chevron consent order (46 FR 52221), and</p> <p>d. Such other restitutionary programs approved by the District Court or the U.S. Department of Energy's Office of Hearings and Appeals.</p> <p>C. Before appropriations to the Oil Overcharge Expendable Trust Fund can be expended, approval for the use of the funds must be obtained from the United States Department of Energy. Applications to the United States Department of Energy must be made through the Department of Mines, Minerals and Energy.</p> <p>D. The Governor shall submit such statements and reports as are required by court orders, settlements, or the Departments of Energy or Health and Human Services regarding use(s) of these funds and shall also report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the activities funded by transfers from this Item only in fiscal years in which activities have occurred.</p>				
Total for Central Appropriations.....			<b>\$1,579,579,115</b>	<b>\$954,544,033</b>
Fund Sources: General.....	\$451,066,949	\$732,548,633		
Higher Education Operating.....	\$3,525,816	\$3,525,816		
Trust and Agency.....	\$71,341,966	\$70,604,322		
Federal Trust.....	\$1,053,644,384	\$147,865,262		
<b>TOTAL FOR CENTRAL APPROPRIATIONS.....</b>			<b>\$1,579,579,115</b>	<b>\$954,544,033</b>
Fund Sources: General.....	\$451,066,949	\$732,548,633		
Higher Education Operating.....	\$3,525,816	\$3,525,816		
Trust and Agency.....	\$71,341,966	\$70,604,322		
Federal Trust.....	\$1,053,644,384	\$147,865,262		
<b>TOTAL FOR EXECUTIVE DEPARTMENT.....</b>			<b>\$78,766,194,152</b>	<b>\$76,873,565,790</b>



ITEM 488.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
General Fund Positions.....	50,642.35	50,862.35		
Nongeneral Fund Positions.....	67,921.07	68,031.07		
Position Level.....	118,563.42	118,893.42		
Fund Sources: General.....	\$28,585,054,346	\$27,571,344,506		
Special.....	\$1,788,993,325	\$1,809,684,569		
Higher Education Operating.....	\$10,125,410,256	\$10,235,138,003		
Commonwealth Transportation.....	\$8,598,252,151	\$8,401,469,644		
Enterprise.....	\$1,728,860,599	\$1,783,395,369		
Internal Service.....	\$2,404,388,342	\$2,413,968,065		
Trust and Agency.....	\$2,740,017,850	\$2,620,447,845		
Debt Service.....	\$363,620,626	\$363,620,626		
Dedicated Special Revenue.....	\$4,126,291,384	\$4,470,923,667		
Federal Trust.....	\$18,305,305,273	\$17,203,573,496		

ITEM 489.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**INDEPENDENT AGENCIES**

**§ 1-135. STATE CORPORATION COMMISSION (171)**

489.	Regulation of Business Practices (55200).....			\$83,730,886	\$81,619,080
	Corporation Commission Clerk's Services (55203).....	\$19,078,374	\$18,616,911		
	Regulation of Investment Companies, Products and Services (55210).....	\$10,638,833	\$10,237,779		
	Regulation of Financial Institutions (55215).....	\$17,378,248	\$16,944,577		
	Regulation of Insurance Industry (55216).....	\$36,635,431	\$35,819,813		
	Fund Sources: Special.....	\$83,030,886	\$80,919,080		
	Federal Trust.....	\$700,000	\$700,000		

Authority: Article IX, Constitution of Virginia; Title 6.2; Title 8.9A, Part 4; Title 12.1, Chapter 4; Title 13.1; Title 56, Chapter 15, Article 5; Title 58.1, Chapter 28; Title 59.1, Chapter 6.1, Code of Virginia; Title 38.2; Title 58.1, Chapter 25; and Title 65.2, Chapter 8, Code of Virginia.

Out of the amounts for this Item, \$1,200,000 the first year and \$1,200,000 the second year is provided to effectuate the provisions of Chapter 486 of the Acts of Assembly of 2017, which allows the Commission to absorb the credit card and eCheck convenience fees as opposed to passing them on to the filers and also grants the Commission the discretion to not charge a fee for providing copies of certain documents.

490.	Regulation of Public Utilities (56300).....			\$33,989,788	\$32,372,448
	Regulation of Utility Companies (56301).....	\$33,989,788	\$32,372,448		
	Fund Sources: Special.....	\$31,283,125	\$29,684,429		
	Dedicated Special Revenue.....	\$656,663	\$638,019		
	Federal Trust.....	\$2,050,000	\$2,050,000		

Authority: Title 56, Chapter 10, Code of Virginia.

491.	Distribution of Fees From and To Regulated Entities and Localities (56400).....			\$9,176,160	\$9,176,160
	Distribution of Uninsured Motorist Fee (56401).....	\$8,660,064	\$8,660,064		
	Distribution of Rolling Stock Taxes (56402).....	\$516,096	\$516,096		
	Fund Sources: Trust and Agency.....	\$9,176,160	\$9,176,160		

Authority: § 58.1-2652, Code of Virginia.

492.	Administrative and Support Services (59900).....			\$0	\$0
------	--	--	--	-----	-----

Authority: Title 12.1, Code of Virginia; Article IV, Section 14 and Article IX, Constitution of Virginia.

A. Operational costs for this program shall be paid solely from charges to agency programs.

B. Out of the amounts for this Item, shall be paid the annual salary of the chairman, \$191,055 from July 1, 2022 to June 30, 2024, and for the other two Commissioners of the State Corporation Commission, each at \$188,963 from July 1, 2022 to June 30, 2024.

C. Notwithstanding the provisions of § 13.1-775.1, Code of Virginia, the State Corporation Commission shall continue the following annual registration fees for domestic and foreign corporations. The new annual rates shall be \$100 for every foreign and domestic corporation authorized to do business in the Commonwealth whose number of authorized shares is 5,000 shares or less. Any such corporation whose number of authorized shares is more than 5,000 shall pay an annual registration fee of \$100 plus \$30 for each 5,000 shares or fraction thereof in excess of 5,000 up to a maximum of \$1,700. The commission shall deposit these funds into a special fund and transfer three-fourths of the receipts to the general fund semiannually.

493.	Plan Management (40800).....			\$29,141,339	\$49,010,485
------	------------------------------	--	--	--------------	--------------

ITEM 493.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Federal Health Benefit Exchange Plan Management (40801).....	\$107,562	\$107,562		
State Health Benefit Exchange Plan Management (40802).....	\$29,033,777	\$48,902,923		
Fund Sources: General.....	\$107,562	\$20,107,562		
Dedicated Special Revenue.....	\$29,033,777	\$28,902,923		
Authority: §§ 38.2-316.1 and 38.2-326, Code of Virginia; § 42.18041 c, United States Code.				
A. There is hereby appropriated to the State Corporation Commission \$107,562 the first year and \$107,562 the second year from the general fund to pay for the plan management functions authorized in Chapter 670 of the Acts of Assembly of 2013.				
B.1. Notwithstanding the provisions of § 4-3.02 of this act, the Secretary of Finance may authorize either a working capital advance or an interest-free treasury loan in an amount not to exceed \$40,000,000 for the State Corporation Commission to fund start-up costs and other costs associated with the implementation of a State Health Benefit Exchange. The Secretary of Finance may extend the repayment plan for any such working capital advance or interest-free treasury loan for a period longer than twelve months.				
2. The State Corporation Commission may use a portion of the user fees collected from health insurance carriers participating in the State Health Benefit Exchange to repay the working capital				
C. Out of this appropriation, \$20,000,000 the second year from the general fund shall be transferred to the Commonwealth Health Reinsurance Program Special Fund State Corporation Commission, established pursuant to § 38.2-6604, Code of Virginia.				
D.1. The State Corporation Commission (Bureau of Insurance) shall study and analyze the Commonwealth's options for potential implementation in 2025 of a new Essential Health Benefit (EHB) benchmark plan for individual and small group health insurance coverage that comply with federal regulations 45 CFR 156.111 (State selection of EHB-benchmark plan for plan years beginning on or after January 1, 2020, and annual reporting of state-required benefits). The Bureau of Insurance shall report its findings to the Health Insurance Reform Commission, and the Chairs of the House Committee on Appropriations and Senate Committee on Finance and Appropriations by November 1, 2022.				
2. Until the Commonwealth makes a determination to select a new Essential Health Benefit benchmark plan, no qualified health plan shall be required to provide any state-mandated health benefit that is not provided in the essential health benefits package.				
Total for State Corporation Commission.....			<b>\$156,038,173</b>	<b>\$172,178,173</b>
Nongeneral Fund Positions.....	715.00	715.00		
Position Level.....	715.00	715.00		
Fund Sources: General.....	\$107,562	\$20,107,562		
Special.....	\$114,314,011	\$110,603,509		
Trust and Agency.....	\$9,176,160	\$9,176,160		
Dedicated Special Revenue.....	\$29,690,440	\$29,540,942		
Federal Trust.....	\$2,750,000	\$2,750,000		

**§ 1-136. VIRGINIA LOTTERY (172)**

494.	State Lottery Operations (81100).....		\$186,725,080	\$191,510,004
	Regulation and Law Enforcement (81105).....	\$26,098,336	\$26,383,260	
	Gaming Operations (81106).....	\$151,695,994	\$156,195,994	
	Administrative Services (81107).....	\$8,930,750	\$8,930,750	
	Fund Sources: Enterprise.....	\$164,190,767	\$168,690,767	
	Dedicated Special Revenue.....	\$22,534,313	\$22,819,237	

ITEM 494.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Authority: Title 58.1, Chapter 40 and Chapter 41, Code of Virginia.				
A. Out of the amounts for Virginia Lottery Operations shall be paid:				
1. Reimbursement for compensation and reasonable expenses of the members of the Virginia Lottery Board in the performance of their duties, as provided in § 2.2-2813, Code of Virginia.				
2. The total costs for the operation and administration of the state lottery, pursuant to § 58.1-4022, Code of Virginia.				
3. The costs of informing the public of the purposes of the Lottery Proceeds Fund, established pursuant to Article X, Section 7-A, Constitution of Virginia.				
B. Expenses related to the regulation and oversight of Casino Gaming shall be paid from the combination of licensing and related fees collected under Title 58.1, Chapter 41, Code of Virginia.				
C. Expenses related to the regulation and oversight of Sports Betting shall be paid from a combination of ongoing licensing and fees related to the activities described in Title 58.1, Chapter 40, Code of Virginia.				
D. Notwithstanding the provisions of § 4-3.02 of this act, the Secretary of Finance may authorize an interest-free treasury loan for the Virginia Lottery to fund start-up costs associated with the implementation of Casino Gaming and Sports Betting activities as enacted by the 2020 General Assembly of Virginia. The Secretary of Finance may extend the repayment plan for any such interest-free treasury loan for a period of longer than twelve months.				
E. Notwithstanding the provisions of § 58.1-4030 and § 58.1-4037, Code of Virginia, a permit holder, through the first 12 months of sports betting activity, may exclude from adjusted gross revenue the value of allowable bonuses or promotions provided to bettors as an incentive to place or as a result of their having placed Internet sports betting wagers. After the first 12 months of sports betting activity, a permit holder is prohibited from excluding from adjusted gross revenue any bonuses or promotions provided to bettors as an incentive to place or as a result of their having placed Internet sports betting wagers. The provisions of this paragraph begin the first month a permit holder collects wagers related to sports betting, as defined in § 58.1-4030, Code of Virginia.				
F. Notwithstanding § 58.1-4123, Code of Virginia, for any eligible host city that has not passed a referendum on casino gaming prior to July 1, 2022, the department shall not grant any initial license to operate a gaming operation unless a referendum is held on or after November 1, 2023 on the question of whether casino gaming shall be permitted in such city and is approved by the voters of such city.				
495.	Disbursement of Lottery Prize Payments (81200) a sum sufficient, estimated at.....		\$350,000,000	\$350,000,000
	Payment of Lottery Prizes (81201).....	\$350,000,000	\$350,000,000	
	Fund Sources: Enterprise.....	a sum sufficient		
Authority: Title 58.1, Chapter 40, Code of Virginia.				
There is hereby appropriated from affected funds in the state treasury, for payment of prizes awarded by the state lottery and of commissions to lottery sales agents, in accordance with law, a sum sufficient.				
	Total for Virginia Lottery.....		\$536,725,080	\$541,510,004
	Nongeneral Fund Positions.....	458.00	458.00	
	Position Level.....	458.00	458.00	
	Fund Sources: Enterprise.....	\$514,190,767	\$518,690,767	
	Dedicated Special Revenue.....	\$22,534,313	\$22,819,237	

ITEM 496.		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
496.	Investment, Trust, and Insurance Services (72500) a sum sufficient, estimated at.....			\$250,000,000	\$250,000,000
	Payments for Educational Benefits Expense (72505).....	\$250,000,000	\$250,000,000		
	Fund Sources: Enterprise.....	\$250,000,000	\$250,000,000		

Authority: Title 23.1, Chapter 7, Code of Virginia.

A. Amounts for Payments for Educational Benefits Expense represent the payment of benefits to postsecondary educational institutions and individuals on behalf of program participants under the Defined Benefit 529 Programs, which include Prepaid529 and the Tuition Track Portfolio of Invest529, and under other Education Savings Programs, from nongeneral funds pursuant to § 23.1-701, Code of Virginia.

B.1. Any moneys collected, distributed, or held for the benefit of participants under Education Savings Programs other than the Defined Benefit 529 Programs, including any income from such funds, are subject to the provisions of § 23.1-701.B., Code of Virginia.

2. Any moneys collected, distributed, or held for the benefit of participants under the Defined Benefit 529 Programs, and any Plan administrative revenue, including any income from such funds, are subject to § 23.1-701.C., Code of Virginia.

C. Amounts for Payments for Educational Benefits Expense cover the current obligations of the funds as provided in § 23.1-705, Code of Virginia.

497.	Administrative and Support Services (79900).....			\$42,585,338	\$44,270,249
	General Management and Direction (79901).....	\$20,835,795	\$21,408,896		
	Investment, Trust and Related Services for Achieving a Better Life Experience (ABLE) Program (79952).....	\$2,413,769	\$2,413,769		
	Investment, Trust and Related Services for State- Facilitated IRA Savings Program (79953).....	\$2,000,000	\$2,000,000		
	Investment, Trust and Related Services for Defined Benefit 529 Programs and other Education Savings Programs (79955).....	\$17,335,774	\$18,447,584		
	Fund Sources: Enterprise.....	\$42,585,338	\$44,270,249		

Authority: Title 23.1, Chapter 7, Code of Virginia.

A. The amounts appropriated to this Item are sufficient to continue funding a comprehensive compensation plan to link pay to performance.

B. Amounts for Investment, Trust and Related Services for Achieving a Better Life Experience (ABLE) Program cover personnel services, variable, and unpredictable costs from nongeneral funds pursuant to § 23.1-701, Code of Virginia.

C. Amounts for Investment, Trust and Related Services for Defined Benefit 529 Programs and other Education Savings Programs cover variable or unpredictable costs from nongeneral funds pursuant to § 23.1-701, Code of Virginia.

D. Included in this appropriation is \$2,000,000 the first year and \$2,000,000 the second year from nongeneral funds to support SOAR Virginia scholarships. As part of its ongoing review of access and affordability of higher education in Virginia, the Joint Legislative Audit and Review Commission (JLARC) is hereby directed to review (i) evidence of the effectiveness of the SOAR Virginia program and other Virginia College Savings Plan access and affordability efforts involving financial aid-related grants and scholarships, and (ii) whether the net operating revenue of Virginia College Savings Plan can best support higher education access and affordability through SOAR or other state access and affordability programs.

E. The Investment Director position at the Virginia College Savings Plan shall assist the CEO and Board in directing, managing, and administering the Plan's assets. The Investment Director shall serve at the pleasure of the Board and may be removed by a majority vote of the Board.

ITEM 497.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>F. That in accordance with the provisions of Item 4-3.02 of this act and pursuant to the passage of House Bill 2174, 2021 General Assembly, the Virginia College Savings Plan shall receive a non-interest-bearing treasury loan in an amount not to exceed \$2 million each year of the biennium to cover the costs of designing and implementing a state-facilitated IRA savings program, until such time as the Program is self-sustaining. Such loan may be renegotiated, as appropriate, and the Plan shall commence repayment with the Program fees and revenues once the Program has achieved at least one year of Program cash flow positivity.</p> <p>G. Out of this appropriation, \$2,867,245 the first year and \$4,552,156 the second year from nongeneral funds is for enhanced operations within the Virginia College Savings Plan related to cybersecurity, information technology, and customer service.</p>				
Total for Virginia College Savings Plan.....			\$292,585,338	\$294,270,249
Nongeneral Fund Positions.....		150.00	150.00	
Position Level.....		150.00	150.00	
Fund Sources: Enterprise.....		\$292,585,338	\$294,270,249	

**§ 1-138. VIRGINIA RETIREMENT SYSTEM (158)**

498.	Personnel Management Services (70400).....		\$19,788,287	\$19,645,202
	Administration of Retirement and Insurance Programs (70415).....	\$19,788,287	\$19,645,202	
	Fund Sources: General.....	\$80,000	\$80,000	
	Trust and Agency.....	\$19,708,287	\$19,565,202	

Authority: Title 9.1, Chapter 4; Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.

A. The Board of Trustees of the Virginia Retirement System is hereby authorized to charge a participation fee to each employer served by the Virginia Retirement System for any services provided pursuant to Title 51.1, Code of Virginia. The fee shall be utilized to pay the administrative expenses of all administrative services, including non-retirement programs. Retirement contributions required by the board shall be reduced to pay such fees in a manner prescribed by the Board of Trustees.

B. State agencies and institutions of higher education shall make payments to the Virginia Retirement System (VRS) for VRS-administered benefits no less often than monthly.

C. The Virginia Retirement System shall make changes to administrative policies, procedures, and systems as necessary for implementation of the public employee retirement reforms provided in Chapter 701 of the Acts of Assembly of 2012.

D.1. Out of this appropriation, \$80,000 the first year and \$80,000 the second year from the general fund is provided for expenses associated with the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund.

2. Gains forfeited prior to July 1, 2016 pursuant to § 51.1-1206, Code of Virginia, and the accumulated earnings thereon shall be used to provide the reimbursement described in § 51.1-1200, Code of Virginia. All future gains forfeited pursuant to § 51.1-1206, Code of Virginia, shall also be used to provide the reimbursement described in § 51.1-1200, Code of Virginia.

E. The Board of Trustees of the Virginia Retirement System shall provide notification to the Chairmen of the House Appropriations Committee and Senate Finance and Appropriations Committee when a political subdivision becomes more than 60 days in arrears in their contributions to the Virginia Retirement System. Such notification shall occur within 15 days of when the 60 day period has occurred.

F.1. Pursuant to the administration of Chapter 4 of Title 9.1, Code of Virginia, the following provisions are effective July 1, 2017:

2. For purposes of this Item, employer contributions for coverage provided to members of the National Guard and Virginia Defense Force on active duty shall be paid by the Department of Military Affairs.

ITEM 498.	Item Details(\$)		Appropriations(\$)		
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024	
<p>3. In addition to any other benefit provided by law, an additional death benefit in the amount of \$20,000 for the surviving spouses and dependents of certain members of the National Guard and United States military reserves killed in action in any armed conflict on or after October 7, 2001, are payable pursuant to § 44-93.1.B., Code of Virginia, from the Line of Duty Death and Health Benefits Trust Fund. The Virginia Retirement System, with support from the Department of Military Affairs, shall determine eligibility for this benefit.</p>					
<p>4. Funding for the inclusion of a member of any fire company providing fire protection services for facilities of the Virginia National Guard or the Virginia Air National Guard will be paid by the Department of Military Affairs out of its appropriation in Item 477 of this act.</p>					
<p>5. Any locality that has established a trust, trusts, or equivalent arrangements for the purpose of accumulating and investing assets to fund post-employment benefits other than pensions under § 15.2-1544, Code of Virginia, may fund Line of Duty Act benefits from the assets of the trust, trusts, or equivalent arrangements.</p>					
<p>G. Annually by February 1st, the Virginia Retirement System shall submit to the Secretary of Public Safety and Homeland Security the names of individuals who were determined to be deceased persons, as defined in § 9.1-400 of the Code of Virginia, in the previous calendar year. The name of any individual whose claim has been filed, but not yet approved, may be submitted in a subsequent year by the Virginia Retirement System once the claim is approved. The Secretary of Public Safety and Homeland Security shall be authorized to share the list as necessary for the purposes of the names being inscribed on the Virginia Public Safety Memorial and honored at the Annual Memorial Service. As provided in § 9.1-408 of the Code of the Virginia, the list otherwise shall be deemed confidential, shall be exempt from disclosure under the Virginia Freedom of Information Act, and shall not be released in whole or in part.</p>					
<p>H. The Virginia Retirement System and the Department of Human Resource Management shall report annually on or before January 1 to the Governor and the Virginia General Assembly the detailed aggregate of eligibility determinations for employees in accordance with § 9.1-400. This report shall tabulate claims data, types of injuries and associated costs with provided benefits. In accordance with § 9.1-408, the name of the employer or employee shall not appear in such publications and all documents to determine eligibility shall remain confidential.</p>					
<p>I. The Virginia Retirement System shall conduct a review of Virginia's current return to work provisions. The review shall include an overview of the Internal Revenue Service laws and regulations regarding return to work, an analysis of Virginia's return to work provisions comparative to those of other public employee pension plans, and an actuarial analysis of potential modifications to the return to work provisions. The Virginia Retirement System shall complete the review and report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 15, 2022.</p>					
499.	Investment, Trust, and Insurance Services (72500)..			\$45,570,653	\$45,570,653
	Investment Management Services (72504).....	\$45,570,653	\$45,570,653		
	Fund Sources: Trust and Agency.....	\$45,570,653	\$45,570,653		
<p>Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.</p>					
<p>By September 30 of each year, the Board of Trustees of the Virginia Retirement System shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the prior fiscal year's results obtained by the internal investment management program. The report shall include a comparison of investment performance against the board's benchmarks and an estimate of the program's fee savings when compared to similar assets managed externally.</p>					
500.	Administrative and Support Services (79900).....			\$53,480,079	\$56,098,179
	General Management and Direction (79901).....	\$16,324,768	\$17,300,268		
	Information Technology Services (79902).....	\$37,155,311	\$38,797,911		

ITEM 500.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: Trust and Agency.....	\$53,480,079	\$56,098,179		
Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
Out of the amounts appropriated to this Item, the director is authorized to expend an amount not to exceed \$25,000 the first year and \$25,000 the second year for expenses commonly borne by business enterprises. Such expenses shall be recorded separately by the agency.				
501.	In the event any political subdivision of the Commonwealth of Virginia participating in the programs administered by the Virginia Retirement System fails to remit contributions or other fees and costs of the programs as duly prescribed, the Board of Trustees of the Virginia Retirement System shall inform the State Comptroller and the participating political subdivision of the delinquent amount. The State Comptroller shall forthwith transfer such amounts to the appropriate fund from any non earmarked moneys otherwise distributable to such political subdivision by any department or agency of the state.			
	Total for Virginia Retirement System.....		<b>\$118,839,019</b>	<b>\$121,314,034</b>
	Nongeneral Fund Positions.....	404.00		405.00
	Position Level.....	404.00		405.00
	Fund Sources: General.....	\$80,000		\$80,000
	Trust and Agency.....	\$118,759,019		\$121,234,034

**§ 1-139. VIRGINIA WORKERS' COMPENSATION COMMISSION (191)**

502.	Employment Assistance Services (46200).....		\$43,824,637	\$43,824,637
	Workers Compensation Services (46204).....	\$43,824,637	\$43,824,637	
	Fund Sources: Dedicated Special Revenue.....	\$43,824,637	\$43,824,637	
Authority: Title 65.2, Chapter 2; Title 38.2, Chapter 50, Code of Virginia.				
A. Out of the amounts for Workers' Compensation Services shall be paid the annual salary of the chairman, \$193,712 from July 1, 2022 to June 30, 2024, and for each of the other two Commissioners of the Virginia Workers' Compensation Commission, \$189,732 from July 1, 2022 to June 30, 2024.				
B. In addition, retired Commissioners recalled to active duty will be paid as authorized by § 17.1-327, Code of Virginia.				
503.	Financial Assistance for Supplemental Assistance Services (49100).....		\$15,436,132	\$15,436,132
	Crime Victim Compensation (49104).....	\$15,436,132	\$15,436,132	
	Fund Sources: General.....	\$6,593,576	\$6,593,576	
	Dedicated Special Revenue.....	\$6,830,556	\$6,830,556	
	Federal Trust.....	\$2,012,000	\$2,012,000	

Authority: Title 19.2, Chapters 21.1 and 21.2, Code of Virginia.

A. Out of this appropriation, up to \$6,593,576 the first year and up to \$6,593,576 the second year from the general fund shall be transferred to the Criminal Injuries Compensation Fund, established pursuant to § 19.2-368.18, Code of Virginia, for the administration of the Virginia Workers' Compensation Commission Sexual Assault Forensic Exam (SAFE) Payment program.

B. The Virginia Workers' Compensation Commission Sexual Assault Forensic Exam (SAFE) program shall make all efforts to access federal and state funds to raise the reimbursement rate cap for acute forensic exams performed by a Sexual Assault Nurse Examiner to sixty percent of the actual cost of the exam. The funds provided in paragraph A. shall be used to help meet this reimbursement rate goal, expand existing forensic nursing programs, and develop forensic nursing programs in under-served communities.

C. The Virginia Workers' Compensation Commission shall prepare a report on the number of



ITEM 503.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
forensic acute, non-acute, and follow-up exams performed by medical providers for victims of sexual assault for which reimbursements are sought, billed and paid for, through the Sexual Assault Forensic Exam (SAFE) Payment program. The report shall detail the number of such exams, the amounts billed by medical providers for each exam, and the reimbursements made to providers for such billed exams through the SAFE Payment program. The report shall be delivered on or before November 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.				
Total for Virginia Workers' Compensation Commission.....			<b>\$59,260,769</b>	<b>\$59,260,769</b>
Nongeneral Fund Positions.....	299.00	299.00		
Position Level.....	299.00	299.00		
Fund Sources: General.....	\$6,593,576	\$6,593,576		
Dedicated Special Revenue.....	\$50,655,193	\$50,655,193		
Federal Trust.....	\$2,012,000	\$2,012,000		
<b>TOTAL FOR INDEPENDENT AGENCIES.....</b>			<b>\$1,163,448,379</b>	<b>\$1,188,533,229</b>
Nongeneral Fund Positions.....	2,026.00	2,027.00		
Position Level.....	2,026.00	2,027.00		
Fund Sources: General.....	\$6,781,138	\$26,781,138		
Special.....	\$114,314,011	\$110,603,509		
Enterprise.....	\$806,776,105	\$812,961,016		
Trust and Agency.....	\$127,935,179	\$130,410,194		
Dedicated Special Revenue.....	\$102,879,946	\$103,015,372		
Federal Trust.....	\$4,762,000	\$4,762,000		

ITEM 504.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**STATE GRANTS TO NONSTATE ENTITIES**

**§ 1-140. STATE GRANTS TO NONSTATE ENTITIES-NONSTATE AGENCIES (986)**

504.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....		\$0	\$0
------	--	--	-----	-----

Authority: Discretionary Inclusion.

A. Grants provided for in this Item shall be administered by the Department of Historic Resources. As determined by the department, projects of museums and historic sites, as provided for in § 10.1-2211, 10.1-2212, and 10.1-2213 of the Code of Virginia, shall be administered under the provisions of those sections. Others listed in this Item shall be administered under the provisions of § 4-5.05 of this act.

B. Prior to the distribution of any funds, the organization or entity shall make application to the department in a format prescribed by the department. The application shall state whether grant funds provided under this item will be used for purposes of operating support or capital outlay and shall include project and spending plans. Unless otherwise specified in this item, the matching share for grants funded from this Item may be cash or in-kind contributions as requested by the nonstate organization in its application for state grant funds, but must be concurrent with the grant period. The department shall use applicable federal guidelines assessing the value and eligibility of in-kind contributions to be used as matching amounts.

C. The appropriation to those entities in this Item that are marked with an asterisk (\*) shall not be subject to the matching requirements of § 4-5.05 of this act.

D. Grants are hereby made to each of the following organizations and entities subject to the conditions set forth in paragraphs A., B., and C. of this Item:

Total for State Grants to Nonstate Entities-Nonstate Agencies.....		\$0	\$0
--	--	-----	-----

TOTAL FOR STATE GRANTS TO NONSTATE ENTITIES.....		\$0	\$0
--	--	-----	-----

TOTAL FOR PART 1: OPERATING EXPENSES....		\$80,673,362,231	\$78,804,435,302
--	--	------------------	------------------

General Fund Positions.....	55,020.06	55,240.06	
Nongeneral Fund Positions.....	70,085.57	70,196.57	
Position Level.....	125,105.63	125,436.63	

Fund Sources: General.....	\$29,292,516,061	\$28,297,422,804	
Special.....	\$1,918,679,522	\$1,935,660,264	
Higher Education Operating.....	\$10,125,410,256	\$10,235,138,003	
Commonwealth Transportation.....	\$8,598,252,151	\$8,401,469,644	
Enterprise.....	\$2,535,636,704	\$2,596,356,385	
Internal Service.....	\$2,404,388,342	\$2,413,968,065	
Trust and Agency.....	\$2,868,082,311	\$2,750,987,321	
Debt Service.....	\$363,620,626	\$363,620,626	
Dedicated Special Revenue.....	\$4,255,256,698	\$4,600,024,407	
Federal Trust.....	\$18,311,519,560	\$17,209,787,783	

Item Details(\$)		Appropriations(\$)	
First Year	Second Year	First Year	Second Year
FY2023	FY2024	FY2023	FY2024

## PART 2: CAPITAL PROJECT EXPENSES

### § 2-0. GENERAL CONDITIONS

A.1. The General Assembly hereby authorizes the capital projects listed in this act. The amounts hereinafter set forth are appropriated to the state agencies named for the indicated capital projects. Amounts so appropriated and amounts reappropriated pursuant to paragraph G. of this section shall be available for expenditure during the current biennium, subject to the conditions controlling the expenditures of capital project funds as provided by law. Reappropriated amounts, unless otherwise stated, are limited to the unexpended appropriation balances at the close of the previous biennium, as shown by the records of the Department of Accounts.

2. The Director, Department of Planning and Budget, may transfer appropriations listed in Part 2 of this act from the second year to the first year in accordance with § 4-1.03 c.5. of this act.

B. The five-digit number following the title of a project is the code identification number assigned for the life of the project.

C. Except as herein otherwise expressly provided, appropriations or reappropriations for structures may be used for the purchase of equipment to be used in the structures for which the funds are provided, subject to guidelines prescribed by the Governor.

D. Notwithstanding any other provisions of law, appropriations for capital projects shall be subject to the following:

1. Appropriations or reappropriations of funds made pursuant to this act for planning of capital projects shall not constitute implied approval of construction funds in a future biennium. Funds, other than the reappropriations referred to above, for the preparation of capital project proposals must come from the affected agency's existing resources.

2. No capital project for which appropriations for planning are contained in this act, nor any project for which appropriations for planning have been previously approved, shall be considered for construction funds until preliminary plans and cost estimates are reviewed by the Department of General Services. The purpose of this review is to avoid unnecessary expenditures for each project, in the interest of assuring the overall cost of the project is reasonable in relation to the purpose intended, regardless of discrete design choices.

E.1. Expenditures from Items in this act identified as "Maintenance Reserve" are to be made only for the maintenance of property, plant, and equipment as defined in § 4-4.01 c. of this act to the extent that funds included in the appropriation to the agency for this purpose in Part 1 of this act are insufficient.

2. Agencies and institutions of higher education can expend up to \$2,000,000 for a single repair or project, and up to \$4,000,000 for a roof replacement project, through the maintenance reserve appropriation. Such expenditures shall be subject to rules and regulations prescribed by the Governor. To the extent an agency or institution of higher education has identified a potential project that exceeds this threshold, the Director, Department of Planning and Budget, can provide exemptions to the threshold as long as the project still meets the definition of a maintenance reserve project as defined by the Department of Planning and Budget.

3. Only facilities supported wholly or in part by the general fund shall utilize general fund maintenance reserve appropriations. Facilities supported entirely by nongeneral funds shall accomplish maintenance through the use of nongeneral funds.

#### F. Conditions Applicable to Bond Projects

1. The capital projects listed in §§ 2-30 and 2-31 for the indicated agencies and institutions of higher education are hereby authorized and sums from the sources and in the amount indicated are hereby appropriated and reappropriated. The issuance of bonds in a principal amount plus amounts needed to fund issuance costs, reserve funds, and other financing expenses, including capitalized interest for any project listed in §§ 2-30 and 2-31 is hereby authorized.

2. The issuance of bonds for any project listed in § 2-30 is to be separately authorized pursuant to Article X, Section 9 (c), Constitution of Virginia.

3. The issuance of bonds for any project listed in §§ 2-30 or 2-31 shall be authorized pursuant to § 23.1-1106, Code of Virginia.

4. In the event that the cost of any capital project listed in §§ 2-30 and 2-31 shall exceed the amount appropriated therefore, the Director, Department of Planning and Budget, is hereby authorized, upon request of the affected institution, to approve an increase in appropriation authority of not more than ten percent of the amount designated in §§ 2-30 and 2-31 for such project, from any available nongeneral fund revenues, provided that such increase shall not constitute an increase in debt issuance authorization for such capital project. Furthermore, the Director, Department of Planning and Budget, is hereby authorized to approve the expenditure of all interest earnings derived from the investment of bond proceeds in addition to the amount designated in §§ 2-30 and 2-31 for such capital project.

Item Details(\$)		Appropriations(\$)	
First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

5. The interest on bonds to be issued for these projects may be subject to inclusion in gross income for federal income tax purposes.

6. Inclusion of a project in this act does not imply a commitment of state funds for temporary construction financing. In the absence of such commitment, the institution may be responsible for securing short-term financing and covering the costs from other sources of funds.

7. In the event that the Treasury Board determines not to finance all or any portion of any project listed in § 2-30 of this act with the issuance of bonds pursuant to Article X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the contrary, this act shall constitute the approval of the General Assembly to finance all or such portion of such project under the authorization of § 2-31 of this act.

8. The General Assembly further declares and directs that, notwithstanding any other provision of law to the contrary, 50 percent of the proceeds from the sale of surplus real property pursuant to § 2.2-1147 et seq., Code of Virginia, which pertain to the general fund, and which were under the control of an institution of higher education prior to the sale, shall be deposited in a special fund set up on the books of the State Comptroller, which shall be known as the Higher Education Capital Projects Fund. Such sums shall be held in reserve, and may be used, upon appropriation, to pay debt service on bonds for the 21st Century College Program as authorized in Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.

9. Notwithstanding any other provision of law, a public institution of higher education may participate in the United States Department of Education Historically Black College and University Capital Financing Program (HBCU Program), and use federal grant and contract funds as permitted by the Program.

G. Upon certification by the Director, Department of Planning and Budget, there is hereby reappropriated the appropriations unexpended at the close of the previous biennium for all authorized capital projects which meet any of the following conditions:

1. Construction is in progress.
2. Equipment purchases have been authorized by the Governor but not received.
3. Plans and specifications have been authorized by the Governor but not completed.
4. Obligations were outstanding at the end of the previous biennium.

#### H. Alternative Financing

1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the Governor and the Chairs of the Senate Finance and Appropriations Committee and the and House Appropriations Committees no less than 30 days prior to entering into such alternative financing agreement. This report shall provide:

- a. a description of the purpose to be achieved by the proposal;
- b. a description of the financing options available, including the alternative financing, which will delineate the revenue streams or client populations pledged or encumbered by the alternative financing;
- c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth;
- d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or institution; and
- e. a recommendation and planned course of action based on this analysis.

#### I. Conditions Applicable to Alternative Financing

The following authorizations to construct, purchase, lease or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, are continued until revoked. Projects in this section shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia. Furthermore, projects in this section shall be submitted for comment to the Six-Year Capital Outlay Plan Advisory Committee, established under § 2.2-1516, Code of Virginia:

##### 1. James Madison University

a. Subject to the provisions of this act, the General Assembly authorizes James Madison University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.

Item Details(\$)		Appropriations(\$)	
First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

b. The General Assembly authorizes James Madison University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. James Madison University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

c. The General Assembly further authorizes James Madison University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

d. James Madison University is further authorized to convey fee simple title in and to one or more parcels of land to James Madison University Foundation (JMUF), which will develop and use the land for the purpose of developing and establishing residential housing for students and/or faculty and staff, office, retail, athletics, dining, student services, and other auxiliary activities and commercial land use in accordance with the University's Master Plan.

## 2. Longwood University

a. Subject to the provisions of this act, the General Assembly authorizes Longwood University to enter into a written agreement or agreements with the Longwood University Real Estate Foundation (LUREF) for the development, design, construction and financing of student housing projects, a convocation center, parking, and operational and recreational facilities through alternative financing agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

b. Longwood is further authorized to enter into a written agreement with the LUREF for the support of such student housing, convocation center, parking, and operational and recreational facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

c. The General Assembly further authorizes Longwood University to enter into a written agreement with a public or private entity to plan, design, develop, construct, finance, manage and operate a facility or facilities to provide additional student housing and/or operational-related facilities. Longwood University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenue bonds issued by or for the benefit of LUREF will provide construction and/or permanent financing.

d. Longwood University is further authorized to convey fee simple title in and to one or more parcels of land to LUREF, which will develop and use the land for the purpose of developing and establishing residential housing for students and/or faculty and staff, office, retail, athletics, dining, student services, and other auxiliary activities and commercial land use in accordance with the University's Master Plan.

## 3. Christopher Newport University

a. Subject to the provisions of this act, the General Assembly authorizes Christopher Newport University to enter into, continue, extend or amend written agreements with the Christopher Newport University Educational Foundation (CNUEF) or the Christopher Newport University Real Estate Foundation (CNUREF) in connection with the refinancing of certain housing and office space projects.

b. Christopher Newport University is further authorized to enter into, continue, extend or amend written agreements with CNUEF or CNUREF to support such facilities including agreements to (i) lease all or a portion of such facilities from CNUEF or CNUREF, (ii) include such facilities in the University's building inventory, (iii) manage the operation and maintenance of the facilities, including collection of any rental fees from University students in connection with the use of such facilities, and (iv) otherwise support the activities at such facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligation under any documents or instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

## 4. Radford University

a. Subject to the provisions of this act, the General Assembly authorizes Radford University, with the approval of the Governor, to

Item Details(\$)		Appropriations(\$)	
First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.

b. The General Assembly authorizes Radford University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. Radford University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

c. The General Assembly further authorizes Radford University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

#### 5. University of Mary Washington

a. Subject to the provisions of this act, the General Assembly authorizes the University of Mary Washington to enter into a written agreement or agreements with the University of Mary Washington Foundation (UMWF) to support student housing projects and/or operational-related or other facilities through alternative financing agreements including public-private partnerships and leasehold financing arrangements.

b. The University of Mary Washington is further authorized to enter into written agreements with UMWF to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's students housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) seek to obtain police power over the student housing as provided by law; and (v) otherwise support the students housing facilities consistent with law, provided that the University's obligation under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

c. The General Assembly further authorizes the University of Mary Washington to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional student housing and/or operational-related facilities. The facility or facilities may or may not be located on property owned by the Commonwealth. The University of Mary Washington is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenue bonds issued by or for UMWF will provide construction and/or permanent financing.

d. The University of Mary Washington is further authorized to convey fee simple title in and to one or more parcels of land to the University of Mary Washington Foundation (UMWF) which will develop and use the land for the purpose of developing and establishing residential housing for students, faculty, or staff, recreational, athletic, and/or operational related facilities including office, retail and commercial, student services, or other auxiliary activities.

#### 6. Norfolk State University

a. Subject to the provisions of this act, the General Assembly authorizes Norfolk State University to enter into a written agreement or agreements with a Foundation of the University for the development of one or more student housing projects on or adjacent to campus, subject to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.

b. Norfolk State University is further authorized to enter into written agreements with a Foundation of the University to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's student housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) restrict construction of competing student housing projects; (v) seek to obtain police power over the student housing as provided by law; and (vi) otherwise support the student housing facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

#### 7. Northern Virginia Community College - Alexandria Campus

The General Assembly authorizes Northern Virginia Community College, Alexandria Campus to enter into a written agreement either with its affiliated foundation or a private contractor to construct a facility to provide on-campus housing on College land to be leased to said foundation or private contractor for such purposes. Northern Virginia Community College, Alexandria Campus, is also authorized

Item Details(\$)		Appropriations(\$)	
First Year	Second Year	First Year	Second Year
FY2023	FY2024	FY2023	FY2024

to enter into a written agreement with said foundation or private contractor for the support of such student housing facilities and management of the operation and maintenance of the same.

8. Virginia State University

a. Subject to the provisions of this act, the General Assembly authorizes Virginia State University (University) to enter into a written agreement or agreements with the Virginia State University Foundation (VSUF), Virginia State University Real Estate Foundation (VSUREF), and other entities owned or controlled by the university for the development, design, construction, financing, and management of a mixed-use economic development corridor comprising student housing, parking, and dining facilities through alternative financing agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

b. Virginia State University is further authorized to enter into a written agreement with the VSUREF, VSUF, and other entities owned or controlled by the university for the support of such a mixed-use economic development corridor comprising student housing, parking, and dining facilities by including these projects in the university's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other university facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the university shall not be required to take any action that would constitute a breach of the university's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the university or the Commonwealth of Virginia.

9. College of William and Mary

a. Subject to the provisions of this act, the General Assembly authorizes the College of William and Mary, with the approval of the Governor, to explore and evaluate alternative financing scenarios to provide additional parking, student or faculty/staff housing, recreational, athletic and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board guidelines issued pursuant to § 23.1-1106 C.1. (d), Code of Virginia.

b. The General Assembly authorizes the College of William and Mary to enter into written agreements with public or private entities to design, construct, and finance a facility or facilities to provide additional parking, student or faculty/staff housing, recreational, athletic, and/or operational related facilities. The facility or facilities may be on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. The College of William and Mary is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facility.

c. The General Assembly further authorizes the College of William and Mary to enter into written agreements with the public or private entities for the support and operation of such parking, student or faculty/staff housing, recreational, athletic, and /or operational related facilities by including the facilities in the College's facility inventory and managing their operation and maintenance including the assignment of parking authorizations, students, faculty or staff, and operations to the facility in preference to other university facilities, limiting construction of competing projects, and by otherwise supporting the facilities consistent with law, provided that the Collage shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the College or the Commonwealth of Virginia.

d. The College of William and Mary is further authorized to convey fee simple title in and to one or more parcels of land to the William and Mary Real Estate Foundation (WMREF) which will develop and use the land for the purpose of developing and establishing residential housing for students, faculty, or staff, recreational, athletic, and/or operational related facilities including office, retail and commercial, student services, or other auxiliary activities.

10. Richard Bland College

a. Subject to the provisions of this act, the General Assembly authorizes Richard Bland College to enter into a ground lease, of 186 acres adjacent to the main campus, with a Foundation of the College, which may include the Richard Bland College Foundation, for the purpose of economic development or the development of campus-needed facilities, including but not limited to office, student services, auxiliary activities, athletics, and residential housing.

b. Richard Bland College is further authorized to enter into written agreements with a Foundation of the College to support facilities development. The support may include agreements to: (i) manage the operation and maintenance of the developed facilities, including collection of rental fees for occupied College-owned real estate; (ii) restrict construction of competing projects; (iii) seek to obtain police power over the facilities as provided by law; and (iv) otherwise support the facilities consistent with law, provided that the College shall not be required to take any action that would constitute a breach of the College's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the College or the Commonwealth of Virginia.

11. The following individuals, and members of their immediate family, may not engage in an alternative financing arrangement with any agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest:

a. A member of the agency or institution's governing body;

Item Details(\$)		Appropriations(\$)	
First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

b. Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement; or

c. Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement.

J. 1. Appropriations contained in this act for capital project planning shall be used as specified for each capital project and construction funding for the project shall be considered by the General Assembly after determining that (1) project cost is reasonable; (2) the project remains a highly-ranked capital priority for the Commonwealth; and (3) the project is fully justified from a space and programmatic perspective.

2. Appropriations reappropriated for institutions of higher education, in accordance with § 23.1-1002, Code of Virginia, may be used to fund the detailed planning authorized for projects in this act and shall be reimbursed when the project is funded to move into the construction phase.

K. Any capital project that has received a supplemental appropriation due to cost overruns is expected to be completed within the revised budget provided. If a project requires an additional supplement, the Governor should also consider reduction in project scope or cancelling the project before requesting additional appropriations. Agencies and institutions with nongeneral funds may bear the costs of additional overruns from nongeneral funds.

L. The Governor shall consider the project life cycle cost that provides the best long-term benefit to the Commonwealth when conducting capital project reviews, design and construction decisions, and project scope changes.

M. No structure, improvement or renovation shall occur on the state property located at the Carillon in Byrd Park in the City of Richmond without the approval of the General Assembly.

N. All agencies of the Commonwealth and institutions of higher education shall provide information and/or use systems and processes in the method and format as directed by the Director, Department of General Services, on behalf of the Six-Year Capital Outlay Plan Advisory Committee, to provide necessary information for state-wide reporting. This requirement shall apply to all projects, including those funded from general and nongeneral fund sources.

O. The Director, Department of Planning and Budget, in consultation with the Six-Year Capital Outlay Plan Advisory Committee, is authorized to transfer appropriations, including bond appropriations and bond proceeds, between and among the capital pool projects listed in the table below, in order to address any shortfall in appropriation in one or more of such projects:

Pool Project No.	Pool Project Title	Authorization
17775	Public Education Institutions Capital Account	Enactment Clause 2, § 4, Chapter 1, 2008 Acts of Assembly, Special Session I
17776	State Agency Capital Account	Enactment Clause 2, § 2, Chapter 1, 2008 Acts of Assembly, Special Session I
17861	Supplements for Previously Authorized Higher Education Capital Projects	Item C-85, Chapter 874, 2010 Acts of Assembly; amended by Item C-85, Chapter 890, 2011 Acts of Assembly
17862	Energy Conservation	Item C-86, Chapter 890, 2011 Acts of Assembly
17967	Capital Outlay Project Pool	Item C-38.10, Chapter 3, 2012 Acts of Assembly, Special Session I; amended by: Item C-38.10, Chapter 806, 2013 Acts of Assembly; Item C-38.10, Chapter 1, 2014 Acts of Assembly, Special Session I; Item C-43, Chapter 2, 2014 Acts of Assembly, Special Session I; Item C-43, Chapter 665, 2015 Acts of Assembly; and Item 48.10, Chapter 836, 2017 Acts of Assembly; and Item C-44.10, Chapter 854, 2019 Acts of Assembly.
18049	Comprehensive Capital Outlay Program	Item C-39.40, Chapter 806, 2013 Acts of Assembly; amended by: Item C-39.40, Chapter 1, 2014 Acts of Assembly, Special Session I; Item C-46.10, Chapter 2, 2014 Acts of Assembly, Special Session I, Item 46.10, Chapter 665, 2015 Acts of



		Item Details(\$)		Appropriations(\$)	
		First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
				Assembly, Item C-46, Chapter 2, 2018 Acts of Assembly, Special Session I, and Item C-77 if this act.	
18196	Capital Outlay Renovation Pool			Item C-46.15, Chapter 665, 2015 Acts of Assembly; amended by: Item C-46.10, Chapter 854, 2019 Acts of Assembly.	
18300	2016 VPBA Capital Construction Pool			§ 1, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-47, Chapter 2, 2018 Acts of Assembly, Special Session I.	
18301	2016 VCBA Capital Construction Pool			§ 2, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-48, Chapter 2, 2018 Acts of Assembly, Special Session I.	
18371	2018 Capital Construction Pool			Item C-45, Chapter 2, 2018 Acts of Assembly, Special Session I; amended by: Item C-45, Chapter 854, 2019 Acts of Assembly.	
18382	Supplemental funding: Capitol Complex Infrastructure and Security			Item C-51.50, Chapter 2, 2018 Acts of Assembly, Special Session I; amended by: Item C-51.50, Chapter 854, 2019 Acts of Assembly.	
18408	2019 Capital Construction Pool			Item C-48.10, Chapter 854, 2019 Acts of Assembly.	
18493	2020 VPBA Construction Pool			Item C-67 of Chapter 1289, 2020 Acts of Assembly; amended by Item C-78 of this act.	
18494	2020 VCBA Constructions Pool			Item C-68 of Chapter 1289, 2020 Acts of Assembly; amended by Item C-68, Chapter 552, 2021 Acts of Assembly, Special Session I.	
18145	Supplement Previously Authorized Capital Project Construction Pools			Item C-69 of Chapter 1289, 2020 Acts of Assembly; amended by: Item C-69, Chapter 552, 2021 Acts of Assembly, Special Session I, Item C-69 of the 2022 Amendments to the 2021 Appropriation Act, and Item C- 79 of this act.	
18540	2021 Capital Construction Pool			Item C-68.50 of Chapter 552, 2021 Acts of Assembly, Special Session I.	
18586	2022 Public Educational Institution Capital Account			Item C-75 of this act.	
18587	2022 State Agency Capital Account			Item C-76 of this act.	

**EXECUTIVE DEPARTMENT**

**OFFICE OF ADMINISTRATION**

**§ 2-1. DEPARTMENT OF GENERAL SERVICES (194)**

C-1.	New Construction: Construct new state office building and parking deck (18528).....			\$10,820,000	\$0
	Fund Sources: General.....	\$10,820,000	\$0		
	The funding provided in this item is intended for the costs associated with demolition and site preparation for the project authorized by this item.				
C-2.	Construct new Supreme Court building (18537).....			\$22,500,000	\$0

ITEM C-2.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$22,500,000	\$0		
<p>A. Out of the amounts appropriated to this item, \$4,000,000 in the first year from the general fund is provided to supplement planning funds for the capital project titled "New Construction/Renovation: Commonwealth Courts Building" (18537), originally authorized in Item C-1.30, Chapter 552, 2021 Acts of Assembly, Special Session I. The planning scope for this project is hereby amended to include space to accommodate the expanded Virginia Court of Appeals. The scope of this capital project includes demolition and new construction of the Pocahontas Building east tower and renovation of the west tower.</p> <p>B. Out of the amounts appropriated to this item, \$18,500,000 the first year from the general fund is provided to support costs related to the relocation of the Virginia Commonwealth University computer center located in the Pocahontas Building at 900 East Main Street. The funds are provided to the Department of General Services to provide financial support to the university for costs associated with hardware, software, network infrastructure, cabling, and other information technology infrastructure needs to have a new computer center on the university campus operational by December 2023. The university is responsible for all other costs associated with the relocation and shall be fully vacated from the Pocahontas Building by December 31, 2023 to enable the renovation of the facility into the future site of the Virginia Supreme Court and Virginia Court of Appeals.</p>				
C-2.20	Improvements: Replace Access Control and Security Systems at DBHDS State Facilities (18648).....		\$5,800,000	\$0
	Fund Sources: General.....	\$5,800,000	\$0	
C-2.30	Improvements: Replace Windows at DBHDS State Facilities (18647).....		\$7,029,000	\$0
	Fund Sources: General.....	\$7,029,000	\$0	
C-2.40	Improvements: Replace Fire Alarms at DBHDS Facilities (18649).....		\$6,810,000	\$0
	Fund Sources: General.....	\$6,810,000	\$0	
	Total for Department of General Services.....		<b>\$52,959,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$52,959,000	\$0	
	TOTAL FOR OFFICE OF ADMINISTRATION.....		<b>\$52,959,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$52,959,000	\$0	

**OFFICE OF AGRICULTURE AND FORESTRY**

**§ 2-2. DEPARTMENT OF FORESTRY (411)**

C-3.	Acquisition: Acquire Charlotte State Forest Border Tract (18588).....		\$1,060,000	\$0
	Fund Sources: Dedicated Special Revenue.....	\$1,060,000	\$0	
C-3.10	Acquisition: Acquire Conway Robinson State Forest Border Tract (18650).....		\$2,500,000	\$0
	Fund Sources: General.....	\$2,500,000	\$0	
<p>It is the intent of the General Assembly that the acquisition and improvements authorized in this item shall be contingent upon a matching land transfer from Prince William County or from private land donations.</p>				
C-4.	Acquisition: Acquire John H. Daniel Trust Tract (18589).....		\$800,000	\$0
	Fund Sources: Dedicated Special Revenue.....	\$800,000	\$0	
	Total for Department of Forestry.....		<b>\$4,360,000</b>	<b>\$0</b>

ITEM C-4.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2023	FY2024	FY2023	FY2024
Fund Sources: General.....	\$2,500,000	\$0		
Dedicated Special Revenue.....	\$1,860,000	\$0		
<b>TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY.....</b>			<b>\$4,360,000</b>	<b>\$0</b>
Fund Sources: General.....	\$2,500,000	\$0		
Dedicated Special Revenue.....	\$1,860,000	\$0		

**OFFICE OF EDUCATION**

**§ 2-3. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)**

C-5.	Improvements: Construct Utility Improvements (18590).....			\$7,850,000	\$0
	Fund Sources: Bond Proceeds.....	\$7,850,000	\$0		
C-6.	Improvements: Improve Accessibility Infrastructure (18591).....			\$5,850,000	\$0
	Fund Sources: General.....	\$5,850,000	\$0		
	<b>Total for The College of William and Mary in Virginia.....</b>			<b>\$13,700,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$5,850,000	\$0		
	Bond Proceeds.....	\$7,850,000	\$0		

**§ 2-4. GEORGE MASON UNIVERSITY (247)**

C-7.	Omitted.				
C-8.	Improvements: Improve Telecommunications Infrastructure Phase 3 (18593).....			\$24,000,000	\$0
	Fund Sources: General.....	\$14,250,000	\$0		
	Bond Proceeds.....	\$9,750,000	\$0		
C-9.	Omitted.				
	<b>Total for George Mason University.....</b>			<b>\$24,000,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$14,250,000	\$0		
	Bond Proceeds.....	\$9,750,000	\$0		

**§ 2-5. JAMES MADISON UNIVERSITY (216)**

C-10.	Acquisition: Blanket Property Acquisition (17821)			\$3,000,000	\$0
	Fund Sources: Higher Education Operating.....	\$3,000,000	\$0		
C-11.	New Construction: Improve East Campus Infrastructure Phase 2 (18595).....			\$43,130,000	\$0
	Fund Sources: General.....	\$30,190,000	\$0		
	Bond Proceeds.....	\$12,940,000	\$0		
C-12.	New Construction: Construct Village Student Housing Phase 1 (18596).....			\$66,240,000	\$0
	Fund Sources: Higher Education Operating.....	\$11,000,000	\$0		
	Bond Proceeds.....	\$55,240,000	\$0		
	<b>Total for James Madison University.....</b>			<b>\$112,370,000</b>	<b>\$0</b>

ITEM C-12.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$30,190,000	\$0		
Higher Education Operating.....	\$14,000,000	\$0		
Bond Proceeds.....	\$68,180,000	\$0		

**§ 2-6. NORFOLK STATE UNIVERSITY (213)**

C-13.	New Construction: Construct Residential Housing Phase 2 (18597)				
	Norfolk State University shall conduct a Financial Feasibility Study as outlined in § 4-4.01 Capital Projects - General to proceed with this project.				
C-14.	New Construction: Construct New Dining Facility (18643)				
	Norfolk State University shall conduct a Financial Feasibility Study as outlined in § 4-4.01 Capital Projects - General to proceed with this project.				
	Total for Norfolk State University.....			<b>\$0</b>	<b>\$0</b>

**§ 2-7. OLD DOMINION UNIVERSITY (221)**

C-15.	Improvements: Repair Rollins Hall (18599).....			\$2,507,201	\$0
	Fund Sources: General.....	\$2,507,201	\$0		
C-15.5	Improvements: Renovate Public Safety Building (18651).....			\$4,500,000	\$0
	Fund Sources: Higher Education Operating.....	\$4,500,000	\$0		
	Total for Old Dominion University.....			<b>\$7,007,201</b>	<b>\$0</b>
	Fund Sources: General.....	\$2,507,201	\$0		
	Higher Education Operating.....	\$4,500,000	\$0		

**§ 2-8. RADFORD UNIVERSITY (217)**

C-16.	Improvements: Install Combined Heating and Power Cogeneration Facility (18598).....			\$16,000,000	\$0
	Fund Sources: General.....	\$11,200,000	\$0		
	Higher Education Operating.....	\$4,800,000	\$0		
C-17.	Improvements: Improve Campus Utilities Infrastructure (18600).....			\$15,425,000	\$0
	Fund Sources: General.....	\$15,425,000	\$0		
	Total for Radford University.....			<b>\$31,425,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$26,625,000	\$0		
	Higher Education Operating.....	\$4,800,000	\$0		

**§ 2-9. UNIVERSITY OF MARY WASHINGTON (215)**

C-18.	Improvements: Improve accessibility campus-wide (18601).....			\$11,250,000	\$0
	Fund Sources: General.....	\$11,250,000	\$0		
	Total for University of Mary Washington.....			<b>\$11,250,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$11,250,000	\$0		

C-19. Omitted.

ITEM C-19.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024

**§ 2-10. VIRGINIA MILITARY INSTITUTE (211)**

C-20.	Planning: Construct Center for Leadership and Ethics Facility, Phase II (18542).....			\$1,489,179	\$0
	Fund Sources: Higher Education Operating.....	\$1,489,179	\$0		

The title and scope of the capital project for the Virginia Military Institute, titled, "Construct Center for Leadership and Ethics Facility, Phase II" authorized in Item C-66, Chapter 552, 2021 Acts of Assembly, Special Session I, is hereby changed to "Construct Center for Leadership and Ethics Facility, Phase II, and Parking Structure" to accommodate the addition of a parking deck to the facility. The cost of constructing the auxiliary portion of the parking deck shall be funded from institutional funds.

C-21.	Improvements: Replace Windows in Old and New Barracks (18604).....			\$1,000,000	\$0
	Fund Sources: Higher Education Operating.....	\$1,000,000	\$0		

The Virginia Military Institute shall undergo an analysis of the cost and timeline for a project to replace windows throughout its campus. The institute shall be reimbursed for the designated nongeneral funds used in this item for detailed planning when the project is funded to move into the construction phase.

C-22. Virginia Military Institute, with the approval of the Governor, is hereby authorized, at no cost to the Commonwealth, to accept real property aggregating approximately 21 acres adjacent to the New Market Battlefield State Historical Park, from The VMI Foundation. The donation, and all documentation pursuant thereto, shall be in a form approved by the Attorney General. The appropriate officials of the Commonwealth and the Institute are hereby authorized to prepare, execute and deliver such deed and other documents pursuant to appropriate law as may be necessary to accomplish the donation.

C-22.10	Planning: Construct Moody Hall (18603).....			\$2,110,000	\$0
	Fund Sources: General.....	\$2,110,000	\$0		
	Total for Virginia Military Institute.....			<b>\$4,599,179</b>	<b>\$0</b>
	Fund Sources: General.....	\$2,110,000	\$0		
	Higher Education Operating.....	\$2,489,179	\$0		

**§ 2-11. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)**

C-23.	Improvements: Address Life, Health, Safety, Accessibility and Code Compliance (18478).....			\$7,300,000	\$0
	Fund Sources: General.....	\$7,300,000	\$0		

C-24.	New Construction: Construct Hitt Hall (18605).....			\$85,000,000	\$0
	Fund Sources: Higher Education Operating.....	\$13,484,000	\$0		
	Bond Proceeds.....	\$71,516,000	\$0		

C-25.	Omitted.				
	Total for Virginia Polytechnic Institute and State University.....			<b>\$92,300,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$7,300,000	\$0		
	Higher Education Operating.....	\$13,484,000	\$0		
	Bond Proceeds.....	\$71,516,000	\$0		

**Virginia Cooperative Extension and Agricultural Experiment Station (229)**

C-25.10	Planning: Relocate Hampton Roads Agricultural Research and Extension Center (18652).....			\$500,000	\$0
---------	--	--	--	-----------	-----

ITEM C-25.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Fund Sources: General.....	\$500,000	\$0		
<p>Out of this appropriation, \$500,000 the first year from the general fund is designated to begin planning the relocation of the Hampton Roads Agricultural Research and Extension Center. The Virginia Cooperative Extension and Agricultural Experiment Station shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 15, 2022, on a plan to relocate the Hampton Roads Agricultural Research and Extension Center including timeline, suitable location requirements, and building and moving costs.</p>				
Total for Virginia Cooperative Extension and Agricultural Experiment Station.....			<b>\$500,000</b>	<b>\$0</b>
Fund Sources: General.....	\$500,000	\$0		
<b>§ 2-12. VIRGINIA STATE UNIVERSITY (212)</b>				
C-26. Improvements: Improve Campuswide Drainage (18607).....			\$13,899,852	\$0
Fund Sources: General.....	\$13,899,852	\$0		
C-27. Improvements: Reroof Academic and Administrative Buildings Campuswide (18608).....			\$19,147,000	\$0
Fund Sources: General.....	\$19,147,000	\$0		
C-28. Improvements: Improve Access and Accessibility (18609).....			\$26,436,783	\$0
Fund Sources: General.....	\$26,436,783	\$0		
Total for Virginia State University.....			<b>\$59,483,635</b>	<b>\$0</b>
Fund Sources: General.....	\$59,483,635	\$0		
<b>§ 2-13. GUNSTON HALL (417)</b>				
C-29. Improvements: Design and Expand Virginia History Exhibits (18610).....			\$350,000	\$0
Fund Sources: General.....	\$350,000	\$0		
Total for Gunston Hall.....			<b>\$350,000</b>	<b>\$0</b>
Fund Sources: General.....	\$350,000	\$0		
<b>§ 2-14. JAMESTOWN-YORKTOWN FOUNDATION (425)</b>				
C-30. Improvements: Upgrade Security System (18611).....			\$494,000	\$0
Fund Sources: General.....	\$494,000	\$0		
C-31. Improvements: Renovate Special Exhibition Gallery (18612).....			\$358,000	\$0
Fund Sources: General.....	\$358,000	\$0		
C-32. Improvements: Restore Jamestown Settlement Shoreline (18613).....			\$837,500	\$0
Fund Sources: General.....	\$837,500	\$0		
Total for Jamestown-Yorktown Foundation.....			<b>\$1,689,500</b>	<b>\$0</b>
Fund Sources: General.....	\$1,689,500	\$0		
C-33. Omitted.				

ITEM C-33.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<b>§ 2-15. VIRGINIA MUSEUM OF FINE ARTS (238)</b>				
C-34.	Improvements: Replace the Security Camera System (18614).....		\$2,700,000	\$0
	Fund Sources: General.....	\$2,700,000	\$0	
	Total for Virginia Museum of Fine Arts.....		<b>\$2,700,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$2,700,000	\$0	
<b>§ 2-16. ROANOKE HIGHER EDUCATION AUTHORITY (935)</b>				
C-35.	Improvements: Replace obsolete/failing HVAC fan coils (18615).....		\$3,796,200	\$0
	Fund Sources: General.....	\$3,796,200	\$0	
C-36.	Improvements: Replace network switches (18616).		\$250,000	\$0
	Fund Sources: General.....	\$250,000	\$0	
	Total for Roanoke Higher Education Authority.....		<b>\$4,046,200</b>	<b>\$0</b>
	Fund Sources: General.....	\$4,046,200	\$0	
	TOTAL FOR OFFICE OF EDUCATION.....		<b>\$365,420,715</b>	<b>\$0</b>
	Fund Sources: General.....	\$168,851,536	\$0	
	Higher Education Operating.....	\$39,273,179	\$0	
	Bond Proceeds.....	\$157,296,000	\$0	
<b>OFFICE OF HEALTH AND HUMAN RESOURCES</b>				
C-37.	Omitted.			
C-38.	Omitted.			
C-39.	Omitted.			
	TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES.....		<b>\$0</b>	<b>\$0</b>
<b>OFFICE OF NATURAL AND HISTORIC RESOURCES</b>				
<b>§ 2-17. DEPARTMENT OF CONSERVATION AND RECREATION (199)</b>				
C-40.	Improvements: Make Critical Infrastructure Repairs and Residences at Various State Parks (18366).....		\$5,000,000	\$0
	Fund Sources: General.....	\$5,000,000	\$0	
C-41.	Improvements: Improve Belle Isle State Park (18429).....		\$3,000,000	\$0
	Fund Sources: General.....	\$1,500,000	\$0	
	Special.....	\$1,500,000	\$0	
	The Department of Conservation and Recreation is authorized to accept and expend gifts, donations or other funds to evaluate options to renovate and furnish the Belle Isle Manor House and dependencies at Belle Isle State Park.			
C-42.	State Park Shoreline Erosion Projects (18484).....		\$22,330,000	\$0
	Fund Sources: General.....	\$22,330,000	\$0	

ITEM C-42.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
C-42.10	Maintenance Reserve: State Park Deferred Maintenance (18654).....		\$45,000,000	\$0
	Fund Sources: General.....	\$45,000,000	\$0	
	Out of this appropriation, up to \$5,800,000 is authorized for the fee simple acquisition of land established as Natural Bridge State Park and retires the outstanding loan balance on the Virginia Clean Water Revolving Loan Fund for the land in order to better assist with managing and maintaining the park area.			
C-43.	Improvements: Soil and Water District Dam Rehabilitation (18489).....		\$45,500,000	\$0
	Fund Sources: General.....	\$45,500,000	\$0	
	The purpose of the project authorized in this Item is the major modification, upgrade, or rehabilitation of dams owned or maintained by the Department of Conservation and Recreation and the Virginia Soil and Water Conservation Districts to bring impounding structures into compliance with the Dam Safety Act requirements promulgated by the Virginia Soil and Water Conservation Board pursuant to § 10.1-605, Code of Virginia.			
C-44.	Revenue Generating Facilities (18491).....		\$10,000,000	\$0
	Fund Sources: General.....	\$10,000,000	\$0	
C-45.	Improvements: Restore and create shoreline habitat at Belle Isle State Park (18619).....		\$2,156,350	\$0
	Fund Sources: General.....	\$2,156,350	\$0	
C-46.	Improvements: Repair Lake Edmunds Dam at Staunton River State Park (18620).....		\$1,925,000	\$0
	Fund Sources: General.....	\$1,925,000	\$0	
C-47.	Improvements: Address critical improvements at Machicomoco State Park (18621).....		\$2,660,000	\$0
	Fund Sources: General.....	\$2,660,000	\$0	
C-48.	Improvements: Restore and improve Green Pastures Recreation Area (18622).....		\$5,000,000	\$0
	Fund Sources: General.....	\$5,000,000	\$0	
C-49.	Omitted.			
C-50.	Acquisition: Acquisition of land for State Parks (18236)			
	It is the intent of the General Assembly that any acquisitions by gift, transfer or purchase, be limited to in-holdings or contiguous properties, consistent with the authorization contained in Item 375, and be limited to property within or contiguous to Seven Bends, Natural Tunnel, Sailor's Creek Battlefield, Shenandoah River, Wilderness Road, Westmoreland, High Bridge Trail, Grayson Highlands, Staunton River, Kiptopeke, Caledon, New River Trail, Natural Bridge, Mayo River, Clinch River, and Southwest Virginia Museum Historical State Parks.			
C-51.	Acquisition: Acquisition of land for Natural Area Preserves (18242)			
	It is the intent of the General Assembly that any acquisitions by gift, transfer or purchase be limited, consistent with the authorization contained in Item 375, to property within or contiguous to The Cedars, Deep Run Ponds, Buffalo Mountain, Pinnacle, Chestnut Ridge, Chestnut Creek Wetlands, Cleveland Barrens, Difficult Creek, Pedlar Hills Glades, Poor Mountain, South Quay Sandhills, Grafton Ponds, Cowbane Prairie, Cypress Bridge Swamp, Cape Charles, Dendron Swamp, Lyndhurst Ponds, Pickett's Harbor, and Crow's Nest Natural Area Preserves.			



ITEM C-51.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
C-51.10 Acquisition: Culpeper Battlefields State Park (18655)				
<p>A. The Department of Conservation and Recreation shall accept the donation of at least 1,700 acres of real property currently owned by land preservation organizations in Culpeper County hereafter to be known as Culpeper Battlefields State Park. It is the intent of this item that user activities at the park will include heritage tourism, camping, fishing, boating, equestrian activities, biking and historical and military education. Local organizations shall continue to provide for public access to the park through June 30, 2024. The Department of Conservation and Recreation shall open the park for public visitation on July 1, 2024 and provide for only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of existing historic, cultural, archaeological, and natural resources.</p> <p>B. As soon as practicable, the Department shall accept the donation from battlefield preservation organizations of up to 800 additional acres to improve river access and the visitor experience at the park. Pursuant to these transfers, the Department of Historic Resources and the Virginia Outdoors Foundation shall assign any easements which they hold on the acreage described herein to the Department of Conservation and Recreation.</p> <p>C. It is the intent of this item that the Department will execute agreements with local land preservation organizations to maintain park land and trails at current levels until December 31, 2027 at no additional cost to the Department.</p>				
Total for Department of Conservation and Recreation.....			<b>\$142,571,350</b>	<b>\$0</b>
Fund Sources: General.....	\$141,071,350	\$0		
Special.....	\$1,500,000	\$0		
<b>§ 2-18. DEPARTMENT OF WILDLIFE RESOURCES (403)</b>				
C-52. Acquisition: Acquire Land and Property (18624)....			\$5,000,000	\$5,000,000
Fund Sources: Dedicated Special Revenue.....	\$500,000	\$500,000		
Federal Trust.....	\$4,500,000	\$4,500,000		
C-52.10 Maintenance Reserve: Maintenance Reserve (13316).....			\$1,500,000	\$1,500,000
Fund Sources: Dedicated Special Revenue.....	\$750,000	\$750,000		
Federal Trust.....	\$750,000	\$750,000		
C-52.20 Improvements: Improve Wildlife Management Areas (18103).....			\$1,000,000	\$1,000,000
Fund Sources: Dedicated Special Revenue.....	\$250,000	\$250,000		
Federal Trust.....	\$750,000	\$750,000		
C-52.30 Improvements: Repair and Upgrade Dams to Comply with the Dam Safety Act (18105).....			\$2,000,000	\$2,000,000
Fund Sources: Dedicated Special Revenue.....	\$2,000,000	\$2,000,000		
C-52.40 Improvements: Improve Boating Access (18106)....			\$1,250,000	\$1,250,000
Fund Sources: Dedicated Special Revenue.....	\$250,000	\$250,000		
Federal Trust.....	\$1,000,000	\$1,000,000		
Total for Department of Wildlife Resources.....			<b>\$10,750,000</b>	<b>\$10,750,000</b>
Fund Sources: Dedicated Special Revenue.....	\$3,750,000	\$3,750,000		
Federal Trust.....	\$7,000,000	\$7,000,000		
TOTAL FOR OFFICE OF NATURAL AND HISTORIC RESOURCES.....			<b>\$153,321,350</b>	<b>\$10,750,000</b>
Fund Sources: General.....	\$141,071,350	\$0		
Special.....	\$1,500,000	\$0		

ITEM C-52.40.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Dedicated Special Revenue.....	\$3,750,000	\$3,750,000		
Federal Trust.....	\$7,000,000	\$7,000,000		

**OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY**

**§ 2-19. DEPARTMENT OF CORRECTIONS (799)**

C-53.	Improvements: DOC Capital Infrastructure Fund (18480).....			\$10,000,000	\$0
	Fund Sources: General.....	\$10,000,000	\$0		

The appropriation for this project shall be used for the repair, renovation, or improvement of existing correctional facilities including mechanical and security systems. The Department shall submit a report on the use of this funding including: i) the facilities in which the funds were spent; ii) a description of each project; and iii) the total amount spent for each project. The report shall be submitted to the Department of Planning and Budget and the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by July 15 of each year.

C-54. Omitted.

C-55. Omitted.

	Total for Department of Corrections.....			<b>\$10,000,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$10,000,000	\$0		

**§ 2-20. DEPARTMENT OF STATE POLICE (156)**

C-56.	Stand-alone Equipment Acquisition: Upgrade Statewide Agencies Radio System (STARS) network (18414).....			\$12,475,530	\$0
	Fund Sources: General.....	\$12,475,530	\$0		

This appropriation is the fourth 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.

	Total for Department of State Police.....			<b>\$12,475,530</b>	<b>\$0</b>
	Fund Sources: General.....	\$12,475,530	\$0		

	<b>TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.....</b>			<b>\$22,475,530</b>	<b>\$0</b>
--	---	--	--	---------------------	------------

	Fund Sources: General.....	\$22,475,530	\$0		
--	----------------------------	--------------	-----	--	--

**OFFICE OF TRANSPORTATION**

**§ 2-21. DEPARTMENT OF MOTOR VEHICLES (154)**

C-57.	Maintenance Reserve (15021).....			\$2,000,000	\$0
	Fund Sources: Commonwealth Transportation.....	\$2,000,000	\$0		

C-58.	New Construction: Replacement - Virginia Beach/Hilltop Customer Service Center (18627).....			\$0	\$7,500,000
	Fund Sources: Commonwealth Transportation.....	\$0	\$7,500,000		

ITEM C-58.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Total for Department of Motor Vehicles.....			<b>\$2,000,000</b>	<b>\$7,500,000</b>
Fund Sources: Commonwealth Transportation.....	\$2,000,000	\$7,500,000		
<b>§ 2-22. DEPARTMENT OF TRANSPORTATION (501)</b>				
C-59. Maintenance Reserve (15732).....			\$5,000,000	\$5,000,000
Fund Sources: Commonwealth Transportation.....	\$5,000,000	\$5,000,000		
C-60. Improvements: Acquire, Design, Construct and Renovate Agency Facilities (18130).....			\$35,000,000	\$35,000,000
Fund Sources: Commonwealth Transportation.....	\$35,000,000	\$35,000,000		
Total for Department of Transportation.....			<b>\$40,000,000</b>	<b>\$40,000,000</b>
Fund Sources: Commonwealth Transportation.....	\$40,000,000	\$40,000,000		
<b>§ 2-23. VIRGINIA PORT AUTHORITY (407)</b>				
C-61. Improvements: Cargo Handling Facilities (16048).			\$70,000,000	\$75,000,000
Fund Sources: Special.....	\$70,000,000	\$75,000,000		
C-62. Improvements: Expand Empty Yard (16643).....			\$70,000,000	\$75,000,000
Fund Sources: Special.....	\$70,000,000	\$75,000,000		
C-63. Stand-alone Equipment Acquisition: Procure Equipment (18125).....			\$120,000,000	\$0
Fund Sources: Special.....	\$120,000,000	\$0		
C-64. Improvements: Enhance Norfolk International Terminals North (18628).....			\$432,000,000	\$0
Fund Sources: General.....	\$266,000,000	\$0		
Commonwealth Transportation.....	\$166,000,000	\$0		
<p>A.1. Prior to the distribution or expenditure of any appropriation from this item, the Virginia Port Authority shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees detailing the salaries and total compensation for Virginia Port Authority staff. This report shall be submitted no later than August 1, 2022.</p> <p>2. After confirmation by the Director, Department of Planning and Budget, of the receipt of this report by the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the funding provided in this item shall be released to the Virginia Port Authority.</p>				
C-65. Pursuant to Item C-72 of Chapter 552, 2021 Acts of Assembly, Special Session I, bond proceeds are authorized to finance a project at the Portsmouth Marine Terminal of the Virginia Port Authority consisting of the expansion, renovation, and improvement of infrastructure to support the location of a turbine and turbine generator manufacturing company at the Portsmouth Marine Terminal, approved by the MEI Project Approval Commission.				
C-66. Improvements: Enhance and Strengthen Portsmouth Marine Terminal (18641).....			\$192,000,000	\$0
Fund Sources: Special.....	\$192,000,000	\$0		
C-66.1 Improvements: Dredging Projects (18653).....			\$5,000,000	\$0
Fund Sources: General.....	\$5,000,000	\$0		

Funding included in this item is designated for shovel-ready shallow-draft dredging projects in the following localities: Accomack County, Gloucester County, Mathews

ITEM C-66.1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
County, Middle Peninsula Municipal Dredging Program, Middlesex County, Northampton County.				
Total for Virginia Port Authority.....			<b>\$889,000,000</b>	<b>\$150,000,000</b>
Fund Sources: General.....	\$271,000,000	\$0		
Special.....	\$452,000,000	\$150,000,000		
Commonwealth Transportation.....	\$166,000,000	\$0		
<b>TOTAL FOR OFFICE OF TRANSPORTATION.....</b>			<b>\$931,000,000</b>	<b>\$197,500,000</b>
Fund Sources: General.....	\$271,000,000	\$0		
Special.....	\$452,000,000	\$150,000,000		
Commonwealth Transportation.....	\$208,000,000	\$47,500,000		

**OFFICE OF VETERANS AND DEFENSE AFFAIRS**

**§ 2-24. DEPARTMENT OF VETERANS SERVICES (912)**

C-67.	Improvements: Replace furnishings and fixtures, and make pandemic-related structural modifications at veterans care centers (18630).....			\$18,463,280	\$0
	Fund Sources: General.....	\$6,462,147	\$0		
	Federal Trust.....	\$12,001,133	\$0		
C-68.	Improvements: Perform safety renovations at Sitter Barfoot Veterans Care Center (18631).....			\$698,040	\$0
	Fund Sources: General.....	\$244,314	\$0		
	Federal Trust.....	\$453,726	\$0		
C-69.	Improvements: Expand Suffolk Veterans Cemetery columbarium (18632).....			\$4,133,183	\$0
	Fund Sources: Federal Trust.....	\$4,133,183	\$0		
A. The Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of up to \$2,000,000 for the Department of Veterans Services for design costs and to assist with cash flow for the columbarium construction. The loan shall be repaid by the Department of Veterans Services upon receipt of federal funds.					
Total for Department of Veterans Services.....				<b>\$23,294,503</b>	<b>\$0</b>
	Fund Sources: General.....	\$6,706,461	\$0		
	Federal Trust.....	\$16,588,042	\$0		

**§ 2-25. DEPARTMENT OF MILITARY AFFAIRS (123)**

C-70.	Improve Readiness Centers (18369).....			\$12,000,000	\$0
	Fund Sources: General.....	\$3,000,000	\$0		
	Federal Trust.....	\$9,000,000	\$0		
C-71.	Omitted.				
Total for Department of Military Affairs.....				<b>\$12,000,000</b>	<b>\$0</b>
	Fund Sources: General.....	\$3,000,000	\$0		
	Federal Trust.....	\$9,000,000	\$0		
<b>TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS.....</b>				<b>\$35,294,503</b>	<b>\$0</b>
	Fund Sources: General.....	\$9,706,461	\$0		
	Federal Trust.....	\$25,588,042	\$0		

ITEM C-71.	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year FY2023</b>	<b>Second Year FY2024</b>	<b>First Year FY2023</b>	<b>Second Year FY2024</b>

**CENTRAL APPROPRIATIONS**

**§ 2-26. CENTRAL CAPITAL OUTLAY (949)**

C-72.	Central Maintenance Reserve (15776).....		\$178,200,000	\$177,000,000
	Fund Sources: General.....	\$178,200,000	\$177,000,000	

A. Out of this appropriation, \$178,200,000 the first year and \$177,000,000 the second year from the general fund is designated for capital costs of the following maintenance reserve projects:

<b>Agency Name/Code</b>	<b>Project Code</b>	<b>FY2023</b>	<b>FY2024</b>
Department of Military Affairs (123)	10893	\$2,679,641	\$3,362,320
Department of Emergency Management (127)	15989	\$101,115	\$67,154
The Science Museum of Virginia (146)	13634	\$969,081	\$957,819
Department of State Police (156)	10886	\$660,197	\$563,743
Department of General Services (194)	14260	\$18,432,172	\$15,257,017
Department of General Services (194) on behalf of the Fort Monroe Authority	18644	\$4,062,709	\$3,391,440
Department of Conservation and Recreation (199)	16646	\$3,611,508	\$3,734,257
The Library of Virginia (202)	17423	\$186,236	\$147,458
Wilson Workforce and Rehabilitation Center (203)	10885	\$626,193	\$601,344
The College of William and Mary (204)	12713	\$3,707,638	\$4,451,715
University of Virginia (207)	12704	\$15,923,093	\$15,805,672
Virginia Polytechnic Institute and State University (208)	12707	\$17,462,174	\$17,678,767
Virginia Military Institute (211)	12732	\$1,819,682	\$1,743,200
Virginia State University (212)	12733	\$4,608,602	\$4,556,591
Norfolk State University (213)	12724	\$4,304,699	\$4,105,715
Longwood University (214)	12722	\$1,942,384	\$1,750,737
University of Mary Washington (215)	12723	\$2,085,758	\$2,093,078
James Madison University (216)	12718	\$5,012,314	\$5,012,314
Radford University (217)	12731	\$2,359,758	\$2,263,561
Virginia School for the Deaf and the Blind (218)	14082	\$765,047	\$754,972
Old Dominion University (221)	12710	\$4,409,529	\$4,346,103
Virginia Commonwealth University (236)	12708	\$10,983,722	\$11,976,549
Virginia Museum of Fine Arts (238)	13633	\$1,564,889	\$1,542,658
Frontier Culture Museum of	15045	\$606,690	\$533,565

ITEM C-72.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
Virginia (239)				
Richard Bland College (241)	12716	\$547,238		\$524,213
Christopher Newport University (242)	12719	\$1,704,133		\$1,905,864
University of Virginia's College at Wise (246)	12706	\$781,393		\$734,502
George Mason University (247)	12712	\$5,927,380		\$5,281,542
Virginia Community College System (260)	12611	\$18,046,684		\$18,779,326
Virginia Institute of Marine Science (268)	12331	\$846,886		\$773,195
Eastern Virginia Medical School (274)	18190	\$2,408,013		\$1,186,113
Department of Agriculture and Consumer Services (301)	12253	\$421,967		\$377,111
Marine Resources Commission (402)	16498	\$102,603		\$73,409
Department of Energy (409)	13096	\$111,725		\$99,435
Department of Forestry (411)	13986	\$1,039,914		\$1,252,290
Gunston Hall (417)	12382	\$175,253		\$144,367
Jamestown-Yorktown Foundation (425)	13605	\$1,687,911		\$1,465,138
Department for the Blind and Vision Impaired (702)	13942	\$399,356		\$361,610
Department of Behavioral Health and Developmental Services (720)	10880	\$8,899,255		\$8,957,456
Department of Juvenile Justice (777)	15081	\$1,351,905		\$1,369,389
Department of Forensic Science (778)	16320	\$590,505		\$551,526
Department of Corrections (799)	10887	\$22,155,192		\$24,857,487
Institute for Advanced Learning and Research (885)	18044	\$335,675		\$222,934
Department of Veterans Services (912)	17073	\$101,115		\$67,154
Roanoke Higher Education Authority (935)	17916	\$406,181		\$373,127
Southern Virginia Higher Education Center (937)	18131	\$306,956		\$203,861
New College Institute (938)	18132	\$306,956		\$203,861
Virginia Museum of Natural History (942)	14439	\$334,753		\$295,078
Southwest Virginia Higher Education Center (948)	16499	\$326,220		\$242,263
<b>Total</b>		<b>\$178,200,000</b>		<b>\$177,000,000</b>

B. Expenditures for amounts appropriated in this Item are subject to conditions defined in §2-0 E. of this act.

C. 1. In order to reduce building operation costs and repay capital investments, agencies and institutions of higher education may give priority to maintenance reserve projects which result in guaranteed savings to the agency or institution pursuant to § 45.2-1703, Code of Virginia.

ITEM C-72.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<p>2. Agencies and institutions of higher education may use maintenance reserve funds to finance the following capital costs: to repair or replace damaged or inoperable equipment, components of plant, and utility systems; to correct deficiencies in property and plant required to conform with building and safety codes or those associated with hazardous condition corrections, including asbestos abatement; to correct deficiencies in fire protection, safety and security, energy conservation and handicapped access; and to address such other physical plant deficiencies as the Director, Department of Planning and Budget may approve. Agencies and institutions of higher education may also use maintenance reserve funds to make other necessary improvements that do not meet the criteria for maintenance reserve funding with the prior approval of the Director, Department of Planning and Budget.</p>				
<p>D. The Department of General Services is authorized to use these funds from its maintenance reserve allocation and any balances left from prior maintenance reserve allocations for necessary repairs and improvements in and around Capitol Square for items such as repair and conservation of the historic fence, repair and improvements to the grounds, upkeep and ongoing repairs to the exterior of the Capitol and Bell Tower, needed safety and security upgrades, and conservation and maintenance of monuments and statues. The use of and allocation of these funds shall be as deemed appropriate by the Director, Department of General Services.</p>				
<p>E. 1. The Jamestown-Yorktown Foundation may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this Item for the conservation of art and artifacts.</p>				
<p>2. The Virginia Museum of Fine Arts may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this Item for the conservation of art works owned by the Museum.</p>				
<p>3. The Frontier Culture Museum may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item for the conservation of art and artifacts.</p>				
<p>F. The Department of Corrections may use a portion of its annual maintenance reserve allocation to make modifications to correctional facilities needed to enable the agency to meet the requirements of the federal Prison Rape Elimination Act.</p>				
<p>G. The Frontier Culture Museum may use its maintenance reserve allocation to pave the loop roads, paths, and parking lots, repair and replace restroom facilities, improve public entrance accessibility, improve the grounds at the museum, and restore, repair or renew exhibits.</p>				
<p>H. The Jamestown-Yorktown Foundation may utilize its annual maintenance reserve allocation to restore, repair or renew exhibits.</p>				
<p>I. The Department of Corrections may use up to \$1,500,000 of its annual maintenance reserve allocation to retrofit the correctional facility in Culpeper County that had been used in the past by the Department of Juvenile Justice to house juvenile defenders, but will be used to house adult offenders.</p>				
<p>J. Gunston Hall may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this Item to restore, repair, or renew exhibits. Furthermore, it may use its maintenance reserve allocation to pave the roads, paths, and parking lots, improve entrance accessibility, and improve the grounds at the museum.</p>				
<p>K. The amount allocated for the Department of General Services on behalf of the Fort Monroe Authority under project code 18644 is designated for building and utility repairs at Fort Monroe. After determining those buildings and utilities to be repaired, and the priority in which repairs will be undertaken within the available allocation in this Item, the Fort Monroe Authority shall present an annual plan to the Director, Department of Planning and Budget. The Fort Monroe Authority is authorized to use a portion of this funding allocation to secure the services of a project manager for overseeing and coordinating the on-site efforts involving the various repairs at Fort Monroe. The project manager shall work in consultation and coordination with the Department of General Services. The Department of General Services shall act as fiscal agent for the authorized funds. Fort Monroe may use a portion of its annual maintenance reserve allocation for</p>				

<b>ITEM C-72.</b>	<b>Item Details(\$)</b>	<b>Appropriations(\$)</b>		
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2023</b>	<b>FY2024</b>

painting projects that encapsulate exterior lead-based paint to prevent the release of lead-based paint into the environment. Fort Monroe may also use a portion of its annual maintenance reserve allocation for the removal of an elevated water tank, as well for the removal of non-historic temporary warehouse buildings.

L. Upon completion of the capital project titled "Perform waterproofing repairs for Capitol Visitor's Center (18527)" as authorized in Item C-1.10, Chapter 552, 2021 Acts of Assembly, Special Session I, the Director, Department of Planning and Budget, shall transfer any remaining balances from that project to the Department of General Services' maintenance reserve project (14260).

M. Out of the amounts provided in this item for project 18190, up to \$1,200,000 the first year is provided for security upgrades at the Eastern Virginia Medical School.

C-73.	Central Reserve for Capital Equipment Funding (17954).....		\$31,035,000	\$0
	Fund Sources: General.....	\$31,035,000	\$0	

A. There is hereby appropriated \$31,035,000 the first year from the general fund to provide funds for equipment for the following projects for which construction was previously provided.

Agency Code	Agency Name	Project Title
199	Department of Conservation and Recreation	Renovate Various Cabins (18265)
211	Virginia Military Institute	Construct Corps Physical Training Facility Phase 3 (Aquatic Center) (18387)
214	Longwood University	Renovate / Expand Environmental Health & Safety and Facilities Annex Building (18384)
217	Radford University	Renovation / Construction Center of Adaptive Innovation and Creativity (CAIC) (18386)
221	Old Dominion University	Construct Health Sciences Building (18335)
236	Virginia Commonwealth University	Construct STEM Teaching Laboratory Building (18336)
268	Virginia Institute of Marine Science	Construct New Research Facility (18281)

C-74. Omitted.

C-75.	2022 Public Educational Institution Capital Account (18586).....		\$899,586,611	\$0
	Fund Sources: General.....	\$870,320,611	\$0	
	Higher Education Operating.....	\$29,266,000	\$0	

A. There is hereby appropriated \$870,320,611 from the general fund and \$29,266,000 from nongeneral fund resources the first year for the construction and other capital costs of the following projects subject to the pool process delineated in Section 2.2-1515 et. seq., Code of Virginia:

Agency Code	Agency Name	Project Title
208	Virginia Polytechnic Institute and State University	Replace Randolph Hall (18502)
214	Longwood University	Wygat Hall Replacement (18425)
215	University of Mary Washington	Construct Fine and Performing Arts Center (18544)
216	James Madison University	Renovate and Expand Carrier Library



ITEM C-75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
		(18485)		
221	Old Dominion University	Construct a New Biology Building (18473)		
236	Virginia Commonwealth University	New Arts and Innovation Building (18500)		
242	Christopher Newport University	Integrated Science Center, Phase III (18496)		
260	Virginia Community College System	Reconstruct Templin Hall Auditorium, Hampton Campus, Virginia Peninsula CC		

B. In addition to the appropriation authorized by this item, the Director, Department of Planning and Budget, shall transfer unutilized Virginia College Building Authority (VCBA) bond authorization and appropriation from the projects listed below, in the amounts shown, to this project for funding the projects listed in paragraph A:

Agency No.	Project No.	Initial Authorization	Amount
207	18348	Items 478.20 and C-52.10, Chapter 780, 2016 Acts of Assembly	\$16,882,776

C. The Department of Planning and Budget, in collaboration with the Department of General Services, shall submit to the Six-Year Capital Outlay Plan Advisory Committee (§ 2.2-1516, "Advisory Committee") documentation prior to any project receiving construction funding authorization (CO-8). Such documentation shall detail the availability of funding authorized in the pool and the estimated total project cost. An authorization may only be effectuated if (i) the Director of the Department of Planning and Budget, in collaboration with the Department of General Services, provides documentation to the Advisory Committee to authorize the CO-8, and (ii) no member of the Advisory Committee, or their designee, objects, in writing or via email, to the CO-8 within 14 days of receiving such notice. If an objection is received, the Advisory Committee may discuss the project authorization at its next meeting and authorize the CO-8 upon approval by all members of the Advisory Committee. The project, "Reconstruct Templin Hall Auditorium, Hampton Campus, Virginia Peninsula CC" is exempt from the requirements of this paragraph.

C-76.	2022 State Agency Capital Account (18587).....		\$161,700,000	\$0
	Fund Sources: General.....	\$161,700,000	\$0	

A. There is hereby appropriated \$161,700,000 from the general fund the first year for the construction and other capital costs of the following projects subject to the pool process delineated in Section 2.2-1515 et. seq., Code of Virginia:

Agency Code	Agency Name	Project Title
156	Department of State Police	Construct Area 6 Office in Lexington
156	Department of State Police	Construct Area 5 Office in Fredericksburg
156	Department of State Police	Construct Area 11 Office in Manassas
156	Department of State Police	Replace Training Academy at Departmental Headquarters (18541)
194	Department of General Services	Renovate Eastern State Hospital
199	Department of Conservation and Recreation	Construct a new visitor center at Twin Lakes State Park
199	Department of Conservation and Recreation	Improve boat ramp and parking area at Kiptopeke State Park
218	Virginia School for the Deaf and the Blind	Renovate Lewellyn Gym
218	Virginia School for the Deaf and the	Construct Storm Shelters/Safe Rooms

ITEM C-76.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
		Blind		
	239	Frontier Culture Museum of Virginia		Construct Crossing Gallery (18316)
	301	Department of Agriculture and Consumer Services		Expand regional animal health laboratories in Harrisonburg, Lynchburg, and Warrenton
C-77.	Comprehensive Capital Outlay Program (18049).....		\$3,400,000	\$0
	Fund Sources: General.....		\$3,400,000	\$0
	Included in this Item is \$3,400,000 from the general fund as a supplement to the Virginia State University project "Water Storage Tank and Campus Water Distribution Piping and Campus Water Sewer Upgrades (18059)" previously authorized in Item C-39.40, Chapter 806, 2013 Acts of Assembly, as "Water Storage Tank and Campus Water Distribution Piping" and amended in Item C-39.40, Chapter 1, 2014 Acts of Assembly, Special Session I, in order to complete the final elements of this project.			
C-78.	2020 VPBA Capital Construction Pool (18493).....		\$1,060,000	\$0
	Fund Sources: General.....		\$1,060,000	\$0
	In addition to the amounts previously provided in Item C-67, Chapter 1289, 2020 Acts of Assembly, \$1,060,000 from the general fund the first year is provided to the Department of General Services "Construct Addition to Current State Records Center Building & Repurpose Workspace in Facility" project 18515 in order to retrofit current facility space with high-bay mobile compact shelving to increase storage capacity.			
C-79.	Omitted.			
C-80.	Improvements: Local Water Quality and Supply Projects (18050).....		\$25,000,000	\$0
	Fund Sources: General.....		\$25,000,000	\$0
	A. From the appropriation and authorization provided in this Item, up to \$25,000,000 shall be provided to the Department of Environmental Quality for the Stormwater Local Assistance Fund, established in accordance with the provisions of Item 380 of this Act. In accordance with the purpose of the Fund set out in Item 380, the appropriation shall be used to provide grants solely for capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the State Water Control Board under the authority of the Department of Environmental Quality.			
	B. The provisions of §§ 2-0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to the projects supported by this Item.			
C-81.	Improvements: Workforce Development Projects (18418).....		\$18,500,000	\$14,400,000
	Fund Sources: General.....		\$18,500,000	\$14,400,000
	Included in this Item is \$18,500,000 the first year and \$14,400,000 the second year from the general fund, which shall be allocated in accordance with signed Memorandums of Understanding under the provisions established in §23.1-1239 through §23.1-1243, Code of Virginia, and shall be used to support the efforts of qualified institutions to increase by fiscal year 2039 the number of new eligible degrees by at least 25,000 more degrees than the number of such degrees awarded in 2018 and to improve the readiness of graduates to be employed in technology-related fields and fields that align with traded-sector growth opportunities identified by the Virginia Economic Development Partnership.			
C-82.	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			

ITEM C-82.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
	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 Henrico County, Fairfax County, Franklin County, Shenandoah County, Warren County, and the City of Virginia Beach.			
	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 Historic Resources, to address lease space needs for additional archaeological storage space to expand the existing facility in the greater Richmond area.			
	9. On behalf of the Department of Motor Vehicles, to address customer service needs in the City of Chesapeake by leasing space for an additional customer service center.			
	B. The Virginia Department of Emergency Management may enter into a long-term lease to address lease space needs for hazardous materials training classroom, storage, and administrative space in York County. Such needs may be met through the lease of modular buildings.			
C-83.	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 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,			

<b>ITEM C-83.</b>	<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
	<b>First Year</b>	<b>Second Year</b>	<b>First Year</b>	<b>Second Year</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2023</b>	<b>FY2024</b>

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 . Vehicular travel limitations and pedestrian management needs on and along Bank Street shall be determined jointly by the DGS and the DCP . 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.

Total for Central Capital Outlay.....		<b>\$1,318,481,611</b>	<b>\$191,400,000</b>
Fund Sources: General.....	\$1,289,215,611		\$191,400,000
Higher Education Operating.....	\$29,266,000		\$0

**§ 2-27. 9(C) REVENUE BONDS (950)**

C-84. A.1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9(c), Constitution of Virginia.

2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F. of this act.

3. The total amount listed in this Item includes \$100,869,000 in bond proceeds.

<b>Agency Name/ Project Title</b>	<b>Item</b>	<b>Project Code</b>	<b>Section 9(c) Bonds</b>
<b>James Madison University (216)</b>			
Construct Village Student Housing Phase 1	C-12	18596	\$55,240,000
<b>Virginia Polytechnic Institute and State</b>			

ITEM C-84.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<b>University (208)</b>				
Construct Hitt Hall	C-24	18605		\$45,629,000
<b>Total for Nongeneral Fund Obligation Bonds 9(c)</b>				<b>\$100,869,000</b>
Total for 9(C) Revenue Bonds.....			<b>\$0</b>	<b>\$0</b>

**§ 2-28. 9(D) REVENUE BONDS (951)**

- C-85. 1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9(d), Constitution of Virginia.
2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F. of this act.
3. The total amount listed in this Item includes \$56,427,000 in bond proceeds.

Agency Name/ Project Title	Item	Project Code	Section 9(d) Bonds		
<b>College of William and Mary (204)</b>					
Construct Utility Improvements	C-5	18590		\$7,850,000	
<b>George Mason University (247)</b>					
Improve Telecommunications Infrastructure Phase 3	C-8	18593		\$9,750,000	
<b>James Madison University (216)</b>					
Improve East Campus Infrastructure Phase 2	C-11	18595		\$12,940,000	
<b>Virginia Polytechnic Institute and State University (208)</b>					
Construct Hitt Hall	C-24	18605		\$25,887,000	
<b>Total for Nongeneral Fund Obligation Bonds 9(d)</b>				<b>\$56,427,000</b>	
Total for 9(D) Revenue Bonds.....				<b>\$0</b>	<b>\$0</b>
TOTAL FOR CENTRAL APPROPRIATIONS.....				<b>\$1,318,481,611</b>	<b>\$191,400,000</b>
Fund Sources: General.....		\$1,289,215,611		\$191,400,000	
Higher Education Operating.....		\$29,266,000		\$0	
TOTAL FOR EXECUTIVE DEPARTMENT.....				<b>\$2,883,312,709</b>	<b>\$399,650,000</b>
Fund Sources: General.....		\$1,957,779,488		\$191,400,000	
Special.....		\$453,500,000		\$150,000,000	
Higher Education Operating.....		\$68,539,179		\$0	
Commonwealth Transportation.....		\$208,000,000		\$47,500,000	
Dedicated Special Revenue.....		\$5,610,000		\$3,750,000	
Federal Trust.....		\$32,588,042		\$7,000,000	
Bond Proceeds.....		\$157,296,000		\$0	

ITEM C-85.	Item Details(\$)		Appropriations(\$)	
	First Year FY2023	Second Year FY2024	First Year FY2023	Second Year FY2024
<b>INDEPENDENT AGENCIES</b>				
<b>§ 2-29. VIRGINIA WORKERS' COMPENSATION COMMISSION (191)</b>				
C-86.	Maintenance Reserve (18637).....		\$1,200,000	\$0
	Fund Sources: Dedicated Special Revenue.....	\$1,200,000	\$0	
	Total for Virginia Workers' Compensation Commission.....		<b>\$1,200,000</b>	<b>\$0</b>
	Fund Sources: Dedicated Special Revenue.....	\$1,200,000	\$0	
	<b>TOTAL FOR INDEPENDENT AGENCIES.....</b>		<b>\$1,200,000</b>	<b>\$0</b>
	Fund Sources: Dedicated Special Revenue.....	\$1,200,000	\$0	
	<b>TOTAL FOR PART 2: CAPITAL PROJECT EXPENSES.....</b>		<b>\$2,884,512,709</b>	<b>\$399,650,000</b>
	Fund Sources: General.....	\$1,957,779,488	\$191,400,000	
	Special.....	\$453,500,000	\$150,000,000	
	Higher Education Operating.....	\$68,539,179	\$0	
	Commonwealth Transportation.....	\$208,000,000	\$47,500,000	
	Dedicated Special Revenue.....	\$6,810,000	\$3,750,000	
	Federal Trust.....	\$32,588,042	\$7,000,000	
	Bond Proceeds.....	\$157,296,000	\$0	

**PART 3: MISCELLANEOUS**  
**§ 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.

	<b>FY 2023</b>	<b>FY 2024</b>
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 \$112,082,813 the first year and \$115,960,429 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
-----	------------------------------	--------------	--------------

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 \$6,039,405 the first year and \$6,039,405 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 Commonwealth Transportation Fund by the Department of Taxation estimated at \$2,907,380 the first year and \$2,907,380 the second year.

F.1. On or before June 30 of each year, the State Comptroller shall transfer \$9,314,242 the first year and \$9,314,242 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 2023	FY 2024
Administration of Health Insurance (149)	0500	\$513,704	\$513,704
Department of Forestry (411)	0900	\$4,902	\$4,902
Department of Small Business and Supplier Diversity (350)	0200	\$6,249	\$6,249
Virginia Museum of Fine Arts (238)	0200	\$15,041	\$15,041
Virginia Museum of Fine Arts (238)	0500	\$13,651	\$13,651
Board of Accountancy (226)	0900	\$11,983	\$11,983
Department for Aging	0200	\$30,313	\$30,313



and Rehabilitative Services (262)			
Department for the Deaf and Hard of Hearing (751)	0200	\$8,344	\$8,344
Department of Behavioral Health and Developmental Services (720)	0200	\$81,022	\$81,022
Department of Health (601)	0900	\$79,883	\$79,883
Virginia Foundation for Healthy Youth (852)	0900	\$17,201	\$17,201
State Corporation Commission (171)	0900	\$2,745	\$2,745
Virginia College Savings Plan (174)	0500	\$292,414	\$292,414
Board of Bar Examiners (233)	0200	\$109	\$109
Supreme Court (111)	0900	\$354,019	\$354,019
Department of Professional and Occupational Regulations (222)	0200	\$4,415	\$4,415
Department of Conservation and Recreation (199)	0900	\$65,932	\$65,932
Department of Wildlife Resources (403)	0900	\$117,607	\$117,607
Department of Criminal Justice Services (140)	0200	\$23,378	\$23,378
Department of Fire Programs (960)	0200	\$84,660	\$84,660
Division of Community Corrections (767)	0900	\$16,233	\$16,233
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	\$587,577	\$587,577
Department of Transportation (501)	0400	\$2,721,175	\$2,721,175

Motor Vehicle Dealer Board (506)	0200	\$17,152	\$17,152
Virginia Passenger Rail Authority (522)	0400	\$46,094	\$46,094
Virginia Port Authority (407)	0200	\$173,531	\$173,531
Virginia Port Authority (407)	0400	\$67,245	\$67,245
		<b>\$9,314,242</b>	<b>\$9,314,242</b>

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 \$784,671,715 the first year and \$764,671,715 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 from the Virginia Lottery Fund the estimated profits generated for the first five months of the fiscal year and (2) thereafter, the transfer of estimated profits will be made on a monthly basis, or until the amount estimated at \$784,671,715 the first year and \$764,671,715 the second year has been transferred to the Lottery Proceeds Fund. The final annual transfer of profits necessary to reach the annual estimate noted in this section, not to exceed the amounts estimated in this paragraph, shall be initiated no later than June 20 of each year, 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 profits for the prior fiscal year. If such annual audit discloses that the actual revenue was less than the total transfer of estimated profits for the year, the State Comptroller shall adjust the next 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 if applicable and pursuant to Item 267 of this act.

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 \$7,300,000 the first year and \$7,300,000 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 \$11,500,000 the first year and \$11,500,000 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 \$4,000,000 on or before June 30 of the first year and \$4,000,000 on or before June 30 of the second year 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 Region 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 Region 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 345, 408, and 430 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 \$90,780 the first year and \$90,780 the second year.

Y. Any amount designated by the State Comptroller from the June 30, 2022, or June 30, 2023, 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. 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.

GG. 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.

HH. The transfer of excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund to the general fund pursuant to Item 63 of this act is estimated at \$500,000 the first year and \$500,000 the second year.

II. No later than July 31, 2022, the State Comptroller shall execute a one-time transfer totaling \$25.0 million from the unobligated balances of the Community Flood Preparedness Fund (09037) to the Resilient Virginia Revolving Loan Fund, established pursuant to § 10.1-603.29, Code of Virginia.

JJ. The Virginia Department of Agriculture and Consumer Services (VDACS) is authorized to transfer 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, and the Seafood Market Building located at 18555 Garey Road, Melfa, Virginia 23410 for no consideration to the Industrial Authority of Accomack County (IAAC) subject to an appropriation being made satisfactory to the Virginia Department of Treasury for the remediation of tax-advantaged bonds that financed the construction, improvement and equipping of such facilities. VDACS is further authorized to grant any and all easements necessary to complete the conveyance. IAAC will be responsible for all transaction expenses associated with the transfer.

§ 3-1.02 INTERAGENCY TRANSFERS

The Virginia Department of Transportation shall transfer, from motor fuel tax revenues, \$388,254 the first year and \$388,254 the second year to the Department of General Services for motor fuels testing.

§ 3-1.03 SHORT-TERM ADVANCE TO THE GENERAL FUND FROM NONGENERAL FUNDS

A. To meet the occasional short-term cash needs of the general fund during the course of the year when cumulative year-to-date disbursements exceed temporarily cumulative year-to-date revenue collections, the State Comptroller is authorized to draw cash temporarily from nongeneral fund cash balances deemed to be available, although special dedicated funds related to commodity boards are exempt from this provision. Such cash drawdowns shall be limited to the amounts immediately required by the general fund to meet disbursements made in pursuance of an authorized appropriation. However, the amount of the cash drawdown from any particular nongeneral fund shall be limited to the excess of the cash balance of such fund over the amount otherwise necessary to meet the short-term disbursement requirements of that nongeneral fund. The State Comptroller will ensure that those funds will be replenished in the normal course of business.

B. In the event that nongeneral funds are not sufficient to compensate for the operating cash needs of the general fund, the State Treasurer is authorized to borrow, temporarily, required funds from cash balances within the Transportation Trust Fund, where such trust fund balances, based upon assessments provided by the Commonwealth Transportation Commissioner, are not otherwise needed to meet the short-term disbursement needs of the Transportation Trust Fund, including any debt service and debt coverage needs, over the life of the borrowing. In addition, the State Treasurer shall ensure that such borrowings are consistent with the terms and conditions of all bond documents, if any, that are relevant to the Transportation Trust Fund.

C. The Secretary of Finance, the State Treasurer and the Commonwealth Transportation Commissioner shall jointly agree on the amounts of such interfund borrowings. Such borrowed amounts shall be repaid to the Transportation Trust Fund at the earliest practical time when they are no longer needed to meet short-term cash needs of the general fund, provided, however, that such borrowed amounts shall be repaid within the biennium in which they are borrowed. Interest shall accrue daily at the rate per annum equal to the then current one-year United States Treasury Obligation Note rate.

D. Any temporary loan shall be evidenced by a loan certificate duly executed by the State Treasurer and the Commonwealth Transportation Commissioner specifying the maturity date of such loan and the annual rate of interest. Prepayment of temporary loans shall be without penalty and with interest calculated to such prepayment date. The State Treasurer is authorized to make, at least monthly, interest payments to the Transportation Trust Fund.

**§ 3-2.00 WORKING CAPITAL FUNDS AND LINES OF CREDIT**

§ 3-2.01 ADVANCES TO WORKING CAPITAL FUNDS

A. The State Comptroller shall make available to the Virginia Racing Commission, on July 1 of each year, the amount of \$125,000 from the general fund as a temporary cash flow advance, to be repaid by December 30 of each year.

B. The State Comptroller shall provide a Working Capital Advance for up to \$16,000,000 on July 1 of the first year to the Department of Veterans Services to operate the Puller & Cabacoy Veterans Care Centers, to be repaid from revenue generated by the facilities.

§ 3-2.02 CHARGES AGAINST WORKING CAPITAL FUNDS

The State Comptroller may periodically charge the appropriation of any state agency for the expenses incurred for services received from any program financed and accounted for by working capital funds. Such charge may be made upon receipt of such documentation as in the opinion of the State Comptroller provides satisfactory evidence of a claim, charge or demand against the appropriations made to any agency. The amounts so charged shall be recorded to the credit of the appropriate working capital fund accounts. In the event any portion of the charge so made shall be disputed, the amount in dispute may be restored to the agency appropriation by direction of the Governor.

§ 3-2.03 LINES OF CREDIT

a. The State Comptroller shall provide lines of credit to the following agencies, not to exceed the amounts shown:

Administration of Health Insurance, Health Benefits Services	\$75,000,000
Administration of Health Insurance, Line of Duty Act	\$10,000,000
Department of Accounts, for the Payroll Service Bureau	\$400,000
Department of Accounts, Transfer Payments	\$5,250,000
Alcoholic Beverage Control Authority	\$80,000,000
Department of Corrections, for Virginia Correctional Enterprises	\$1,000,000
Department of Corrections, for Federal Grant Processing	\$1,000,000

Department of Emergency Management, for Hazardous Material Incident Response	\$150,000
Department of Emergency Management, for Federal Grant Processing	\$500,000
Department of Emergency Management, for Next Generation 911 service	\$15,000,000
Department of Environmental Quality	\$5,000,000
Department of Human Resource Management, for the Workers' Compensation Self Insurance Trust Fund	\$10,000,000
Department of Behavioral Health and Developmental Services	\$30,000,000
Department of Medical Assistance Services, for the Virginia Health Care Fund	\$12,000,000
Department of Motor Vehicles	\$30,600,000
Department of the Treasury, for the Unclaimed Property Trust Fund	\$5,000,000
Department of the Treasury, for the State Insurance Reserve Trust Fund	\$25,000,000
Virginia Lottery	\$56,000,000
Virginia Information Technologies Agency	\$165,000,000
Virginia Tobacco Settlement Foundation	\$3,000,000
Department of Historic Resources	\$600,000
Department of Fire Programs	\$30,000,000
Compensation Board	\$8,000,000
Department of Conservation and Recreation	\$4,000,000
Department of Military Affairs, for State Active Duty	\$5,000,000
Department of Military Affairs, for Federal Cooperative Agreements	\$30,000,000
Virginia Parole Board	\$50,000
Commonwealth's Attorneys' Services Council	\$200,000
Department of State Police, for the Internet Crimes Against Children Grant	\$3,700,000
Department of State Police, for Federal Grant Processing	\$1,500,000
Department of Social Services, for timing issues related to the receipt of federal grants and other payments	\$17,000,000

b. The State Comptroller shall execute an agreement with each agency documenting the procedures for the line of credit, including, but not limited to, applicable interest and the method for the drawdown of funds. The provisions of § 4-3.02 b of this act shall not apply to these lines of credit.

c. The State Comptroller, in conjunction with the Departments of General Services and Planning and Budget, shall establish guidelines for agencies and institutions to utilize a line of credit to support fixed and one-time costs associated with implementation of office space consolidation, relocation and/or office space co-location strategies, where such line of credit shall be repaid by the agency or institution based on the cost savings and efficiencies realized by the agency or institution resulting from the consolidation and/or relocation. In such cases the terms of office space consolidation or co-location strategies shall be approved by the Secretary of Administration, in consultation with the Secretary of Finance, as demonstrating cost benefit to the Commonwealth. In no case shall the advances to an agency or institution exceed \$1,000,000 nor the repayment begin more than one year following the implementation or extend beyond a repayment period of seven years.

d. The State Comptroller is hereby authorized to provide lines of credit of up to \$2,500,000 to the Department of Motor Vehicles and up to \$2,500,000 to the Department of State Police to be repaid from revenues provided under the federal government's establishment of Uniform Carrier Registration.

e. The Virginia Lottery is hereby authorized to use its line of credit to meet cash flow needs for operations at any time during the year and to provide cash to the Virginia Lottery Fund to meet the required transfer of estimated lottery profits to the Lottery Proceeds Fund, as specified in provisions of § 3-1.01G. of this act. The Virginia Lottery shall repay the line of credit as actual cash flows become available. The Secretary of Finance is authorized to increase the line of credit to the Virginia Lottery if necessary to meet operating needs.

f. The State Comptroller is hereby authorized to provide a line of credit of up to \$5,000,000 to the Department of Military Affairs to

cover the actual costs of responding to State Active Duty. The line of credit will be repaid as the Department of Military Affairs is reimbursed from federal or other funds, other than Department of Military Affairs funds.

g. The Department of Human Resource Management shall repay the local health insurance option program's initial start-up costs, funded through the line of credit authorized in Chapter 836, 2017 Acts of Assembly, in fiscal years 2017 and 2018, over a period not to exceed ten years from the health insurance premiums paid by the local health insurance option program's participants.

h. The Department of Conservation and Recreation may utilize the line of credit authorized in paragraph a. to continue the development of the coastal master plan, including use of a consultant to assist in the plan's development. Any funds spent from the line of credit for this purpose shall be repaid from revenues generated by the Commonwealth's participation in the sale of allowances through the Regional Greenhouse Gas Initiative and deposited to the Virginia Community Flood Preparedness Fund pursuant to § 10.1-603.25, Code of Virginia.

i. The line of credit authorized in paragraph a. for the Virginia Department of Emergency Management, for Next Generation 911 service shall be provided to the 911 Services Board as a temporary cash flow advance. Funds received from the line of credit shall be used only to support implementation of next generation 911 service and shall be distributed in a manner consistent with § 56-484.17 (D), Code of Virginia. The request for the line of credit shall be prepared in the formats as approved by the Secretary of Finance and the Secretary of Public Safety and Homeland Security. The Secretary of Finance and the Secretary of Public Safety and Homeland Security shall approve drawdowns from the Virginia Department of Emergency Management's Next Generation 911 line of credit prior to the expenditure of funds.

### **§ 3-3.00 GENERAL FUND DEPOSITS**

#### **§ 3-3.01 PAYMENT BY THE STATE TREASURER**

The state Treasurer shall transfer an amount estimated at \$50,000 on or before June 30, 2023 and an amount estimated at \$50,000 on or before June 30, 2024, to the general fund from excess 9(c) sinking fund balances.

### **§ 3-4.00 AUXILIARY ENTERPRISES AND SPONSORED PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION**

#### **§ 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 2022-2024 biennium.

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.

### **§ 3-5.00 ADJUSTMENTS AND MODIFICATIONS TO TAX COLLECTIONS**

#### **§ 3-5.01 RETALIATORY COSTS TO OTHER STATES TAX CREDIT**

Notwithstanding any other provision of law, the amount deposited to the Priority Transportation Trust Fund pursuant to § 58.1-2531 shall not be reduced by more than \$266,667 by any refund of the Tax Credit for Retaliatory Costs to Other States available under § 58.1-2510.

#### **§3-5.02 PAYMENT OF AUTO RENTAL TAX TO THE GENERAL FUND**

Notwithstanding the provisions of § 58.1-1741, Code of Virginia, or any other provision of law, all revenues resulting from the fee imposed under subdivision A3 of § 58.1-1736, Code of Virginia, shall be deposited into the general fund after the direct costs of administering the fee are recovered by the Department of Taxation.

#### **§ 3-5.03 IMPLEMENTATION OF CHAPTER 3, ACTS OF ASSEMBLY OF 2004, SPECIAL SESSION I**

Revenues deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established under § 58.1-638.1 of the Code of Virginia pursuant to enactments of the 2004 Special Session of the General Assembly shall be transferred to the general fund and used to meet the Commonwealth's responsibilities for the Standards of Quality prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The Comptroller shall take all actions necessary to effect such transfers monthly, no later than 10 days following the deposit to the Fund. The amounts transferred shall be distributed to localities as specified in Direct Aid to Public Education's (197), State Education Assistance Programs (17800) of this Act. The

estimated amount of such transfers are \$507,300,000 the first year and \$522,000,000 the second year.

#### § 3-5.04 RETAIL SALES & USE TAX EXEMPTION FOR INTERNET SERVICE PROVIDERS

Notwithstanding any other provision of law, for purchases made on or after July 1, 2006, any exemption from the retail sales and use tax applicable to production, distribution, and other equipment used to provide Internet-access services by providers of Internet service, as defined in § 58.1-602, Code of Virginia, shall occur as a refund request to the Tax Commissioner. The Tax Commissioner shall develop procedures for such refunds.

#### § 3-5.05 DISPOSITION OF EXCESS FEES COLLECTED BY CLERKS OF THE CIRCUIT COURTS

Notwithstanding §§ 15.2-540, 15.2-639, 15.2-848, 17.1-285, and any other provision of law general or special, effective July 1, 2009, the Commonwealth shall be entitled to two-thirds of the excess fees collected by the clerks of the circuit courts as required to be reported under § 17.1-283.

#### § 3-5.06. Omitted.

#### § 3-5.07 DISCOUNTS AND ALLOWANCES

A. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation allowed under § 58.1-622, Code of Virginia, shall be suspended for any dealer required to remit the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia, by electronic funds transfer pursuant to § 58.1-202.1, Code of Virginia, and the compensation available to all other dealers shall be limited to the following percentages of the first three percent of the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia:

Monthly Taxable Sales	Percentage
\$0 to \$62,500	1.6%
\$62,501 to \$208,000	1.2%
\$208,001 and above	0.8%

B. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation available under §§ 58.1-642, 58.1-656, 58.1-1021.03, and 58.1-1730, Code of Virginia, shall be suspended.

C. Beginning with the return for June 2011, due July 2011, the compensation under § 58.1-1021.03 shall be reinstated.

#### § 3-5.08 SALES TAX COMMITMENT TO HIGHWAY MAINTENANCE AND OPERATING FUND

The sales and use tax revenue for distribution to the Highway Maintenance and Operating Fund shall be consistent with Chapter 766, 2013 Acts of Assembly.

#### § 3-5.09 INTANGIBLE HOLDING COMPANY ADDBACK

Notwithstanding the provisions of § 58.1-402(B)(8), Code of Virginia, for taxable years beginning on and after January 1, 2004:

(i) The exception in § 58.1-402(B)(8)(a)(1) for income that is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government shall be limited to and apply only to the portion of such income received by the related member that owns the intangible property, which portion is attributed to a state or foreign government in which such related member has sufficient nexus to be itself subject to such taxes; and

(ii) The exception in § 58.1-402(B)(8)(a)(2) for a related member deriving at least one-third of its gross revenues from licensing to unrelated parties shall be limited and apply to the portion of such income received by the related member that owns the intangible property and derived from licensing agreements for which the rates and terms are comparable to the rates and terms of agreements that such related member has entered into with unrelated entities.

#### § 3-5.10 REGIONAL FUELS TAX

Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions. However, no funds shall be collected pursuant to § 58.1-2291 et seq., Code of Virginia, from levying the additional sales tax on aviation fuel as that term is defined in § 58.1-2201, Code of Virginia.

#### § 3-5.11 DEDUCTION FOR ABLE ACT CONTRIBUTIONS

A. Effective for taxable years beginning on or after January 1, 2016, an individual shall be allowed a deduction from Virginia adjusted gross income as defined in § 58.1-321, Code of Virginia, for the amount contributed during the taxable year to an ABLE savings trust account entered into with the Virginia College Savings Plan pursuant to Chapter 7 ( § 23.1-700 et seq.) of Title 23.1, Code of Virginia. The amount deducted on any individual income tax return in any taxable year shall be limited to \$2,000 per ABLE



savings trust account. No deduction shall be allowed pursuant to this section if such contributions are deducted on the contributor's federal income tax return. If the contribution to an ABLE savings trust account exceeds \$2,000 the remainder may be carried forward and subtracted in future taxable years until the ABLE savings trust contribution has been fully deducted; however, in no event shall the amount deducted in any taxable year exceed \$2,000 per ABLE savings trust account.

B. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, Code of Virginia, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified disability expenses, as defined in § 529A of the Internal Revenue Code; or (ii) the beneficiary's death.

C. A contributor to an ABLE savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed \$2,000 per ABLE savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount contributed to an ABLE savings trust account, less any amounts previously deducted.

D. The Tax Commissioner shall develop guidelines implementing the provisions of this section, including but not limited to the computation, carryover, and recapture of the deduction provided under this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq., Code of Virginia).

#### § 3-5.12 RETAIL SALES AND USE TAX EXEMPTION FOR RESEARCH FOR FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS

A. Notwithstanding any other provision of law or regulation, and beginning July 1, 2016 and ending June 30, 2018, the retail sales and use tax exemption provided for in subdivision 5 of § 58.1-609.3 of the Code of Virginia, applicable to tangible personal property purchased or leased for use or consumption directly and exclusively in basic research or research and development in the experimental or laboratory sense, shall apply to such property used in a federally funded research and development center, regardless of whether such property is used by the purchaser, lessee, or another person or entity.

B. Notwithstanding any other provision of law, beginning July 1, 2018, tangible personal property purchased by a federally funded research and development center sponsored by the U.S. Department of Energy shall be exempt from the retail sales and use tax.

C. Nothing in this section shall be construed to relieve any federally funded research and development center of any liability for retail sales and use tax due for the purchase of tangible personal property pursuant to the law in effect at the time of the purchase.

#### § 3-5.13 ADMISSIONS TAX

Notwithstanding the provisions of § 58.1-3818.02, Code of Virginia, or any other provision of law, subject to the execution of a memorandum of understanding between an entertainment venue and the County of Stafford, Stafford County is authorized to impose a tax on admissions to an entertainment venue located in the county that (i) is licensed to do business in the county for the first time on or after July 1, 2015, and (ii) requires at last 75 acres of land for its operations, and (iii) such land is purchased or leased by the entertainment venue owner on or after June 1, 2015. The tax shall not exceed 10 percent of the amount of charge for admission to any such venue. The provisions of this section shall expire on July 1, 2019 if no entertainment venue exists in Stafford County upon which the tax authorized is imposed.

#### § 3-5.14 SUNSET DATES FOR INCOME TAX CREDITS AND SALES AND USE TAX EXEMPTIONS

A. Notwithstanding any other provision of law the General Assembly shall not advance the sunset date on any existing sales tax exemption or tax credit beyond June 30, 2025. Any new sales tax exemption or tax credit enacted by the General Assembly after the 2019 regular legislative session, but prior to the 2024 regular legislative session, shall have a sunset date of not later than June 30, 2025. However, this requirement shall not apply to tax exemptions administered by the Department of Taxation under § 58.1-609.11, relating to exemptions for nonprofit entities nor shall it apply to exemptions or tax credits with sunset dates after June 30, 2022, enacted or advanced during the 2016 Session of the General Assembly, or to the Motion Picture Production Tax Credit under § 58.1-439.12:03, Code of Virginia.

B. The Department shall provide an updated revenue impact report no later than November 1, 2025, and every five years thereafter, for sales tax exemptions and tax credits set to expire within two years following the date of the report. Such reports shall be distributed to every member of the General Assembly and to the Joint Subcommittee to Evaluate Tax Preferences.

#### § 3-5.15 PROVIDER COVERAGE ASSESSMENT

A. The Department of Medical Assistance Services (DMAS) is authorized to levy an assessment upon private acute care hospitals operating in Virginia in accordance with this Item. Private acute care hospitals operating in Virginia shall pay a coverage assessment beginning on or after October 1, 2018. For the purposes of this coverage assessment, the definition of private acute care hospitals shall exclude public hospitals, freestanding psychiatric and rehabilitation hospitals, children's hospitals, long stay hospitals, long-term acute care hospitals and critical access hospitals.

B.1. The coverage assessment shall be used only to cover the non-federal share of the "full cost of expanded Medicaid coverage" for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, including the administrative costs of collecting the coverage assessment and implementing and operating the coverage for newly eligible adults which includes the costs of administering the provisions of the Section 1115 waiver.

2.a. The "full cost of expanded Medicaid coverage" shall include: 1) any and all Medicaid expenditures related to individuals eligible for Medicaid pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, including any federal actions or repayments; and, 2) all administrative costs associated with providing coverage, which includes the costs of administering the provisions of the Section 1115 waiver, and collecting the coverage assessment.

b. The "full cost of expanded Medicaid coverage" shall be updated: 1) on November 1 of each year based on the official Medicaid forecast and latest administrative cost estimates developed by DMAS; 2) no more than 30 days after the enactment of this Act to reflect policy changes adopted by the latest session of the General Assembly; and 3) on March 1 of any year in which DMAS estimates that the most recent non-federal share of the "full cost of expanded Medicaid coverage" times 1.08 will be insufficient to pay all expenses in 2.a. for that year.

C.1. The "coverage assessment amount" shall equal the non-federal share of the "full cost of expanded Medicaid coverage" times 1.02.

2. The "coverage assessment percentage" shall be calculated quarterly by dividing (i) the "coverage assessment amount" by (ii) the total "net patient service revenue" for hospitals subject to the assessment. The coverage assessment amount used in the quarterly calculation of the "coverage assessment percentage" shall include a reconciliation of the Health Care Coverage Assessment Fund prescribed in D.1 and subtract all prior quarterly assessments paid for that fiscal year before dividing the remainder by the remaining quarters in the fiscal year.

3. Each hospital's "net patient service revenue" equals the amount reported in the most recent Virginia Health Information (VHI) "Hospital Detail Report." Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment basis for the following fiscal year.

4. Each hospital's coverage assessment amount shall be calculated by multiplying the quarterly "coverage assessment percentage" times each hospital's net patient service revenue.

D.1. DMAS shall, at a minimum, update the "coverage assessment amount" whenever the "full cost of expanded Medicaid coverage" is updated in section B.2.b or to ensure amounts are sufficient to cover the full cost of expanded Medicaid coverage based on the latest estimate. Hospitals shall be given no less than 15 days' notice prior to the beginning of the quarter with associated calculations supporting the change in its coverage assessment amount. Prior to any change to the coverage assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Coverage Assessment Fund through the most recent complete quarter. Any estimated excess or shortfall of revenue shall be deducted from or added to the "coverage assessment amount."

2. DMAS shall be responsible for collecting the coverage assessment amount. Hospitals subject to the coverage assessment shall make quarterly payments due no later than July 1, October 1, January 1 and April 1 of each state fiscal year.

3. Hospitals that fail to make the coverage assessment payments within 30 days of the due date shall incur a five percent penalty that shall be deposited in the Virginia Health Care Fund. Any unpaid coverage assessment or penalty will be considered a debt to the Commonwealth and DMAS is authorized to recover it as such.

E. DMAS shall submit a report, due September 1 of each year, to the Director, Department of Planning and Budget and Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Virginia Hospital and Healthcare Association. The report shall include, for the most recently completed fiscal year, the revenue collected from the coverage assessment, expenditures for purposes authorized by this Item, and the year-end coverage assessment balance in the Health Care Coverage Assessment Fund. The report shall also include a complete and itemized listing of all administrative costs included in the coverage assessment.

F. All revenue from the coverage assessment excluding penalties, shall be deposited into the Health Care Coverage Assessment Fund. Proceeds from the coverage assessment, excluding penalties, shall not be used for any other purpose than to cover the non-federal share of the full cost of expanded Medicaid coverage. Notwithstanding any other provision of law, the net state share of any prior year recovery of Medicaid expansion costs that were paid with coverage assessment revenue shall be deposited into the Health Care Coverage Assessment Fund.

G. Any provision of this Item is contingent upon approval by the Centers for Medicare and Medicaid Services if necessary.

H. The Hospital Payment Policy Advisory Council shall meet to consider the implementation and provisions of the Provider Coverage and Payment Rate Assessments in order to consider and make recommendations to ensure the collection and use of such funds are appropriate and consistent with the intent of the General Assembly. Specifically, the Council shall consider the level of detail and format necessary to develop the report pursuant to paragraph E. The Council shall recommend a format and associated level of detail, to be included in the report to the Joint Subcommittee for Health and Human Resources Oversight. The Joint

Subcommittee shall approve the final format and associated level of detail of the report to be submitted by the Department of Medical Assistance Services.

§ 3-5.16 PROVIDER PAYMENT RATE ASSESSMENT

A. The Department of Medical Assistance Services (DMAS) is hereby authorized to levy a payment rate assessment upon private acute care hospitals operating in Virginia in accordance with this item. Private acute care hospitals operating in Virginia shall pay a payment rate assessment beginning on or after October 1, 2018 when all necessary state plan amendments are approved by the Centers for Medicare and Medicaid Services (CMS). For purposes of this assessment, the definition of private acute care hospitals shall exclude public hospitals, freestanding psychiatric and rehabilitation hospitals, children's hospitals, long stay hospitals, long-term acute care hospitals and critical access hospitals.

B. Proceeds from the payment rate assessment shall be used to (i) fund an increase in inpatient and outpatient payment rates paid to private acute care hospitals operating in Virginia up to the "upper payment limit gap"; and (ii) fill the "managed care organization hospital payment gap" for care provided to recipients of medical assistance services. Payments made under the provisions i and ii of this paragraph shall be referred to as "private acute care hospital enhanced payments".

C.1. The Department of Medical Assistance Services (DMAS) shall calculate each hospital's "payment rate assessment amount" by multiplying the "payment rate assessment percentage" times "net patient service revenue" as defined below.

2. The "payment rate assessment percentage" for hospitals shall be calculated as (i) the non-federal share of funding the "private acute care hospitals enhanced payments" divided by (ii) the total "net patient service revenue" for hospitals subject to the assessment.

3. Each hospital's "net patient service revenue" equals the amount reported in the most recent Virginia Health Information (VHI) "Hospital Detail Report." Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment basis for the following fiscal year.

D. DMAS is authorized to update the payment rate assessment amount and payment rate assessment percentage on a quarterly basis to ensure amounts are sufficient to cover the non-federal share of the full cost of the private acute care hospital enhanced payments based on the department's quarterly claims and encounter data. Hospitals shall be given no less than 15 days prior notice of the new assessment amount and be provided with calculations. Prior to any change to the payment rate assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Provider Payment Rate Assessment Fund. Any estimated excess or shortfall of revenue since the previous reconciliation shall be deducted from or added to the calculation of the private acute care hospital enhanced payments.

E.1. The "upper payment limit" means the limit on payment for inpatient services for recipients of medical assistance established in accordance with 42 C.F.R. § 447.272 and outpatient services for recipients of medical assistance pursuant to 42 C.F.R. § 447.321 for private hospitals. DMAS shall complete a calculation of the "upper payment limit" for each state fiscal year with a detailed analysis of how it was determined. The "upper payment limit payment gap" means the difference between the amount of the private hospital upper payment limit and the amount otherwise paid pursuant to the state plan for inpatient and outpatient services. The "managed care organization hospital payment gap" means the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims and the amount that would be included when the projected hospital services furnished by private acute care hospitals operating in Virginia are priced for the contract year equivalent to the maximum managed care directed payment amount as allowed by CMS subject to CMS approval under 42 C.F.R. section 438.6(c). As part of the development of the managed care capitation rates, the DMAS shall calculate a "Medicaid managed care organization (MCO) supplemental hospital capitation payment adjustment". This is a distinct additional amount that shall be added to Medicaid MCO capitation rates to fund supplemental payments under this section to private acute care hospitals operating in Virginia for services to Medicaid recipients.

2. DMAS shall contractually direct Medicaid MCOs to disburse supplemental hospital capitation payment funds consistent with this section and 42 C.F.R. § 438.6(c), to ensure that all such funds are disbursed to private acute care hospitals operating in Virginia. In addition, DMAS shall contractually prohibit MCOs from making reductions to or supplanting hospital payments otherwise paid by MCOs.

3. DMAS shall make available quarterly a report of the additional capitation payments that are made to each MCO pursuant to this item. Further, DMAS shall consider recommendations of the Medicaid Hospital Payment Policy and Advisory Council in designing and implementing the specific elements of the payment rate assessment and private acute care hospital supplemental payment program authorized by this item.

F.1. DMAS shall be responsible for collecting the payment rate assessment amount. Hospitals subject to the payment rate assessment shall make quarterly payments due no later than August 15, November 15, February 15 and May 15 of each state fiscal year.

2. Hospitals that fail to make the payment rate assessment payments on or before the due date in subsection F.1. shall incur a five percent penalty that shall be deposited in the Virginia Health Care Fund. Any unpaid payment assessment or penalty will

be considered a debt to the Commonwealth and DMAS is authorized to recover it as such.

G. DMAS shall submit a report due September 1 of each year to the Director, Department of Planning and Budget and Chairs of the House Appropriations and Senate Finance and Appropriations Committees. The report shall include, for the most recently completed fiscal year, the revenue collected from the payment rate assessment, expenditures for purposes authorized by this item, and the year-end assessment balance in the Health Care Provider Payment Rate Assessment Fund.

H. All revenue from the payment rate assessment shall be deposited into the Health Care Provider Payment Rate Assessment Fund, a special non-reverting fund in the state treasury. Proceeds from the payment rate assessment, excluding penalties, shall not be used for any other purpose than to fund (i) an increase in inpatient and outpatient payment rates paid to private acute care hospitals operating in Virginia up to the private hospital "upper payment limit" and "managed care organization hospital payment gap" for care provided to recipients of medical assistance services, and (ii) the administrative costs of collecting the assessment and of implementing and operating the associated payment rate actions.

I. Any provision of this Section is contingent upon approval by the Centers for Medicare and Medicaid Services if necessary.

#### § 3-5.17 TOBACCO TAX STUDY

The Joint Subcommittee to Evaluate Tax Preferences is hereby directed to continue studying options for the modernization of § 58.1-1001(A), Code of Virginia, to reflect advances in science and technology in the area of tobacco harm reduction, and the role innovative non-combustible tobacco products can play in reducing harm, including products that produce vapor or aerosol from heating tobacco or liquid nicotine. In addition, the Joint Subcommittee shall study possible reforms to the taxation of tobacco products that will provide fairness and equity for all local governments and also ensure stable tax revenues for the Commonwealth. The Joint Subcommittee shall complete its study and submit a final report with recommended reforms to the Finance Committees of the Virginia Senate and Virginia House of Delegates. All agencies of the Commonwealth shall provide assistance for this study, upon request.

#### § 3-5.18 HISTORIC PRESERVATION TAX CREDIT

Notwithstanding § 58.1-339.2 or any other provision of law, effective for taxable years beginning on and after January 1, 2017, the amount of the Historic Rehabilitation Tax Credit that may be claimed by each taxpayer, including amounts carried over from prior taxable years, shall not exceed \$5 million for any taxable year.

#### § 3-5.19 LAND PRESERVATION TAX CREDIT CLAIMED

Notwithstanding § 58.1-512 or any other provision of law, effective for the taxable year beginning on and after January 1, 2017, but before January 1, 2023, the amount of the Land Preservation Tax Credit that may be claimed by each taxpayer, including amounts carried over from prior taxable years, shall not exceed \$20,000.

#### § 3-5.20 NEIGHBORHOOD ASSISTANCE ACT TAX CREDIT

A. Notwithstanding § 58.1-439.20 or any other provision of law, for fiscal Year 2023 and fiscal year 2024, the amount of the Neighborhood Assistance Act Tax Credit available under § 58.1-439.18 et seq., Code of Virginia, shall be limited to \$20 million allocated as follows: \$12.0 million for education proposals for approval by the Superintendent of Public Instruction and \$8.0 million for all other proposals for approval by the Commissioner of the State Department of Social Services. In making such equitable allocation of credits, the Commissioner of Social Services and the Superintendent of Public Instruction shall consider the portion of a neighborhood organization's revenues and expenses that are used to serve low-income persons and shall not rely solely on the amount of credits allocated to the neighborhood organization in the prior year in allocating available credits.

B. For purposes of this section, the term "individual" means the same as that term is defined in § 58.1-302, but excluding any individual included in the definition of a "business firm" as such term is defined in § 58.1-439.18.

C. Notwithstanding any other provision of law or regulation, in order to be eligible to receive an allocation of credits pursuant to § 58.1-439.20:1, Code of Virginia, at least 50 percent of the persons served by the neighborhood organization, either directly by the neighborhood organization or through the provision of revenues to other organizations or groups serving such persons, shall be low-income persons or eligible students with disabilities and at least 50 percent of the neighborhood organization's revenues shall be used to provide services to low-income persons or to eligible students with disabilities, either directly by the neighborhood organization or through the provision of revenues to other organizations or groups providing such services. A tax credit shall be issued by the Superintendent of Public Instruction or the Commissioner of Social Services to an individual only upon receipt of a certification made by a neighborhood organization to whom tax credits were allocated for an approved program pursuant to § 58.1-439.20, § 58.1-439.20:1 or this language.

#### § 3-5.21 CIGARETTE TAX, TOBACCO PRODUCTS TAX AND TAX ON LIQUID NICOTINE

A. Notwithstanding any other provision of law, the cigarette tax imposed under subsection A of § 58.1-1001 of the Code of Virginia shall be 3.0 cents on each cigarette sold, stored or received on and after July 1, 2020.

B. Notwithstanding any other provision of law, the rates of the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia in effect on June 30, 2020 shall be doubled beginning July 1, 2020 for taxable sales or purchases occurring on and after such date.

C. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on liquid nicotine at the rate of \$0.066 per milliliter beginning July 1, 2020 for taxable sales or purchases occurring on and after such date.

D. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on any heated tobacco product at the rate of 2.25 cents per stick beginning January 1, 2021 for taxable sales or purchases occurring on and after such date.

E. The Tax Commissioner shall establish guidelines and rules for (i) transitional procedures in regard to the increase in the cigarette tax, (ii) implementation of the increased tobacco products tax rates, and (iii) implementation of the tobacco products tax on liquid nicotine pursuant to the provisions of this act. The development of such guidelines and rules by the Tax Commissioner shall be exempt from the provisions of the Administrative Process Act (Code of Virginia § 2.2-4000 et seq.)

F. Notwithstanding any other provision of law, beginning January 1, 2021, for the purposes of the Tobacco Products Tax, a Distributor, as defined in § 58.1-1021.01, shall be deemed to have sufficient activity within the Commonwealth to require registration under § 58.1-1021.04:1, if such distributor:

1. Receives more than \$100,000 in gross revenue, or other minimum amount as may be required by federal law, from sales of tobacco products in the Commonwealth in the previous or current calendar year, provided that in determining the amount of a dealer's gross revenues, the sales made by all commonly controlled persons as defined in subsection D of § 58.1-612 shall be aggregated; or

2. Engages in 200 or more separate tobacco products sales transactions, or other minimum amount as may be required by federal law, in the Commonwealth in the previous or current calendar year, provided that in determining the total number of a dealer's retail sales transactions, the sales made by all commonly controlled persons as defined in subsection D of § 58.1-612 shall be aggregated.

#### § 3-5.22 INDIVIDUAL INCOME TAX REBATE

In addition to any refund due pursuant to § 58.1-309 of the Code of Virginia, and for taxable years beginning on and after January 1, 2021, but before January 1, 2022, an individual filing a return on or before November 1, 2022 or married persons filing a joint return on or before November 1, 2022 shall be issued a refund in an amount up to \$250 for an individual, or \$500 for married persons filing a joint return. An individual shall only be allowed a refund pursuant to this enactment up to the amount of such individual's tax liability after the application of any deductions, subtractions, or credits to which the individual is entitled pursuant to Chapter 3 (§ 58.1-300 et seq.) of Title 58.1 of the Code of Virginia. Married persons filing a joint return shall only be allowed a refund pursuant to this enactment up to the amount of such married persons' tax liability after the application of any deductions, subtractions, or credits to which the married persons are entitled pursuant to Chapter 3 of Title 58.1 of the Code of Virginia. Any refund issued pursuant to this enactment shall be subject to collection under the provisions of the Setoff Debt Collection Act (§ 58.1-520 et seq. of the Code of Virginia). For taxpayers filing a return before July 1, 2022, refunds due pursuant to this enactment shall be issued on or after July 1, 2022 but before October 17, 2022. For taxpayers filing a return on or after July 1, 2022, refunds due pursuant to this enactment shall be issued on or after July 1, 2022 but no later than 4 months after such return is filed. In no case shall any interest be paid on any refund due pursuant to this enactment.

#### § 3-5.24 RETAIL SALES AND USE TAX EXEMPTION FOR CERTAIN DRILLING EQUIPMENT

Notwithstanding any other provision of law or regulation, the retail sales and use tax exemption provided for in subdivision 12 of § 58.1-609.3 of the Code of Virginia, applicable to raw materials, fuel, power, energy, supplies, machinery or tools or repair parts therefor or replacements thereof, used directly in the drilling, extraction, or processing of natural gas or oil and the reclamation of the well area shall remain in effect through July 1, 2023.

#### § 3-5.25 SALES AND USE TAX HOLIDAY FOR CERTAIN SCHOOL SUPPLIES, HURRICANE PREPAREDNESS EQUIPMENT, AND ENERGY SAVINGS EQUIPMENT

Notwithstanding any other provision of law or regulation, the retail sales and use tax exemption holidays authorized in subdivision 18 of § 58.1-609.1, § 58.1-611.2 and § 58.1-611.3 of the Code of Virginia, applicable to Energy Star or Watersense qualified products, school supplies, clothing and footwear, and certain hurricane preparedness equipment shall remain in effect through July 1, 2023.

#### § 3-5.26 FOOD CROP DONATION TAX CREDIT

Notwithstanding any other provision of law or regulation, the tax credit authorized in § 58.1-439.12:12 of the Code of Virginia pursuant to a credit for food crop donations shall remain in effect through the tax year beginning on January 1, 2022.

§ 3-5.27 RETAIL SALES AND USE TAX EXEMPTION FOR DONATED EDUCATIONAL MATERIALS

Notwithstanding any other provision of law or regulation, the retail sales and use tax exemption provided for in subdivision 7 of § 58.1-609.6 of the Code of Virginia, applicable to textbooks and other educational materials that are donated shall remain in effect through July 1, 2023.

**§ 3-6.00 ADJUSTMENTS AND MODIFICATIONS TO FEES**

§ 3-6.01 RECORDATION TAX FEE

There is hereby assessed a twenty dollar fee on (i) every deed for which the state recordation tax is collected pursuant to §§ 58.1-801 A and 58.1-803, Code of Virginia; and (ii) every certificate of satisfaction admitted under § 55.1-345, Code of Virginia. The revenue generated from fifty percent of such fee shall be deposited to the general fund. The revenue generated from the other fifty percent of such fee shall be deposited to the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, as established in § 10.1-2128.1, Code of Virginia. The funds deposited to this subfund shall be disbursed for the agricultural best management practices cost share program, pursuant to § 10.1-2128.1, Code of Virginia.

§ 3-6.02 ANNUAL VEHICLE REGISTRATION FEE (\$6.25 FOR LIFE)

Notwithstanding § 46.2-694 paragraph 13 of the Code of Virginia, the additional fee that shall be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle shall be \$6.25.

§ 3-6.03 DRIVERS LICENSE REINSTATEMENT FEE

A. Notwithstanding § 46.2-411 of the Code of Virginia, the drivers license reinstatement fee payable to the Trauma Center Fund shall be \$100.

B. Notwithstanding the provisions of § 46.2-395 of the Code of Virginia, no court shall suspend any person's privilege to drive a motor vehicle solely for failure to pay any fines, court costs, forfeitures, restitution, or penalties assessed against such person. The Commissioner of the Department of Motor Vehicles shall reinstate a person's privilege to drive a motor vehicle that was suspended prior to July 1, 2019, solely pursuant to § 46.2-395 of the Code of Virginia and shall waive all fees relating to reinstating such person's driving privileges including those paid to the Trauma Center Fund. Nothing herein shall require the Commissioner to reinstate a person's driving privileges if such privileges have been otherwise lawfully suspended or revoked or if such person is otherwise ineligible for a driver's license.

§ 3-6.04 ASSESSMENT OF ELECTRONIC SUMMONS FEE BY LOCALITIES

Nothing in § 17.1-279.1 of the Code of Virginia shall be construed to authorize any county, city, or town to assess the sum set forth therein upon any summons issued by a law-enforcement agency of the Commonwealth.

§ 3-6.05 PROCEDURES FOR PREPAYMENT OF CIVIL PENALTIES IN AN EXECUTIVE ORDER

Any civil penalty under § 44-146.17(1) shall be prepayable in the amount set by executive order and in accordance with § 16.1-69.40:2 B of the Code of Virginia. Any civil penalty amount set by executive order shall not be construed or interpreted so as to limit the discretion of any trial judge trying individual cases at the time fixed for trial.

**PART 4: GENERAL PROVISIONS**  
**§ 4-0.00 OPERATING POLICIES**

§ 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, 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.
- h. To the extent that a public institution of higher education maintains and operates university housing during scheduled

intercessions, the institution shall provide access to housing for students eligible under § 23.1-601, Code of Virginia at no cost to the student provided that the student (i) is a registered student for the immediate following term and (ii) meets the definitions and conditions of the federal McKinney-Vento Homeless Assistance Act.

### § 4-1.00 APPROPRIATIONS

#### § 4-1.01 PREREQUISITES FOR PAYMENT

- a. The State Comptroller shall not pay any money out of the state treasury except pursuant to appropriations in this act or in any other act of the General Assembly making an appropriation during the current biennium.
- b. Moneys shall be spent solely for the purposes for which they were appropriated by the General Assembly, except as specifically provided otherwise by § 4-1.03 Appropriation Transfers, § 4-4.01 Capital Projects, or § 4-5.01 a. Settlement of Claims with Individuals. Should the Governor find that moneys are not being spent in accordance with provisions of the act appropriating them, he shall restrain the State Comptroller from making further disbursements, in whole or in part, from said appropriations. Further, should the Auditor of Public Accounts determine that a state or other agency is not spending moneys in accordance with provisions of the act appropriating them, he shall so advise the Governor or other governing authority, the State Comptroller, the Chairman of the Joint Legislative Audit and Review Commission, and Chairmen of the Senate Finance and Appropriations and House Appropriations Committees.
- c. Exclusive of revenues paid into the general fund of the state treasury, all revenues earned or collected by an agency, and contained in an appropriation item to the agency shall be expended first during the fiscal year, prior to the expenditure of any general fund appropriation within that appropriation item, unless prohibited by statute or by the terms and conditions of any gift, grant or donation.

#### § 4-1.02 WITHHOLDING OF SPENDING AUTHORITY

- a. For purposes of this subsection, withholding of spending authority is defined as any action pursuant to a budget reduction plan approved by the Governor to address a declared shortfall in budgeted revenue that impedes or limits the ability to spend appropriated moneys, regardless of the mechanism used to effect such withholding.
  - b.1. Changed Expenditure Factors: The Governor is authorized to reduce spending authority, by withholding allotments of appropriations, when expenditure factors, such as enrollments or population in institutions, are smaller than the estimates upon which the appropriation was based. Moneys generated from the withholding action shall not be reallocated for any other purpose, provided the withholding of allotments of appropriations under this provision shall not occur until at least 15 days after the Governor has transmitted a statement of changed factors and intent to withhold moneys to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.
2. Moneys shall not be withheld on the basis of reorganization plans or program evaluations until such plans or evaluations have been specifically presented in writing to the General Assembly at its next regularly scheduled session.
- c. Increased Nongeneral Fund Revenue:
  1. General fund appropriations to any state agency for operating expenses are supplemental to nongeneral fund revenues collected by the agency. To the extent that nongeneral fund revenues collected in a fiscal year exceed the estimate on which the operating budget was based, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an equivalent amount. However, this limitation shall not apply to (a) restricted excess tuition and fees for educational and general programs in the institutions of higher education, as defined in § 4-2.01 c of this act; (b) appropriations to institutions of higher education designated for fellowships, scholarships and loans; (c) gifts or grants which are made to any state agency for the direct costs of a stipulated project; (d) appropriations to institutions for the mentally ill or intellectually disabled payable from the Behavioral Health and Developmental Services Revenue Fund; and (e) general fund appropriations for highway construction and mass transit. Moneys unallotted under this provision shall not be reallocated for any other purpose.
  2. To the degree that new or additional grant funds become available to supplement general fund appropriations for a program, following enactment of an appropriation act, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an amount equivalent to that provided from grant funds, unless such action is prohibited by the original provider of the grant funds. The withholding action shall not include general fund appropriations, which are required to match grant funds. Moneys unallotted under this provision shall not be reallocated for any other purpose.
- d. Reduced General Fund Resources:
  1. The term "general fund resources" as applied in this subsection includes revenues collected and paid into the general fund of the state treasury during the current biennium, transfers to the general fund of the state treasury during the current biennium, and all unexpended balances brought forward from the previous biennium.
  2. In the event that general fund resources are estimated by the Governor to be insufficient to pay in full all general fund



appropriations authorized by the General Assembly, the Governor shall, subject to the qualifications herein contained, withhold general fund spending authority, by withholding allotments of appropriations, to prevent any expenditure in excess of the estimated general fund resources available.

3. In making this determination, the Governor shall take into account actual general fund revenue collections for the current fiscal year and the results of a formal written re-estimate of general fund revenues for the current and next biennium, prepared within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia. Said re-estimate of general fund revenues shall be communicated to the Chairmen of the Senate Finance and Appropriations, House Appropriations and House Finance Committees, prior to taking action to reduce general fund allotments of appropriations on account of reduced resources.

4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to the Chairmen of the House Appropriations, House Finance, and Senate Finance and Appropriations Committees.

b) Within five business days after the preliminary close of the state accounts at the end of the fiscal year, the State Comptroller shall provide the Governor with the actual total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes for the just-completed fiscal year, with a comparison of such actual totals with the total of such taxes in the official budget estimate for that fiscal year. If that comparison indicates that the total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes, as shown on the preliminary close, was one percent or more below the amount of such taxes in the official budget estimate for the just-completed fiscal year, the Governor shall prepare a written re-estimate of general fund revenues for the current biennium and the next biennium in accordance with § 2.2-1503, Code of Virginia, to be reported to the Chairmen of the Senate Finance and Appropriations, House Finance and House Appropriations Committees, not later than September 1 following the close of the fiscal year.

5.a) The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Subsequent modifications to the approved reduction plan also must be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, prior to withholding allotments of appropriations.

b) In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's Cabinet secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees concurrently with that budget reduction plan.

6. In effecting the reduction of expenditures, the Governor shall not withhold allotments of appropriations for:

a) More than 15 percent cumulatively of the annual general fund appropriation contained in this act for operating expenses of any one state or nonstate agency or institution designated in this act by title, and the exact amount withheld, by state or nonstate agency or institution, shall be reported within five calendar days to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees. State agencies providing funds directly to grantees named in this act shall not apportion a larger cut to the grantee than the proportional cut apportioned to the agency. Without regard to § 4-5.05 b.4. of this act, the remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation, shall be made by July 31, or in two equal installments, one payable by July 31 and the other payable by December 31, if the remaining appropriation is less than or equal to \$500,000, except in cases where the normal conditions of the grant dictate a different payment schedule.

b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies and its authorities, or for payment of a legally authorized deficit.

c) The payments for care of graves of Confederate and historical African American dead.

d) The employer contributions, and employer-paid member contributions, to the Social Security System, Virginia Retirement System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System, Optional Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional Retirement Plan for Superintendents, the Volunteer Service Award Program, the Virginia Retirement System's group life insurance, sickness and disability, and retiree health care credit programs for state employees, state-supported local employees and teachers. If the Virginia Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower than the rate on which the appropriation was based, or if the United States government approves a Social Security rate that is lower than that in effect for the current budget, the Governor may withhold excess contributions. However, employer and employee paid rates or contributions for health insurance and matching deferred compensation for state employees, state-supported local employees and teachers may not be increased or decreased beyond the amounts approved by the General Assembly. Payments for the employee benefit programs listed in this paragraph may not be delayed beyond the customary billing cycles that have been established by law or policy by the governing board.

- e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.
  - f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.
  - g) The salary of any officer or employee in the Executive Department by more than two percent (irrespective of the fund source for payment of salaries and wages); however, the percentage of reduction shall be uniformly applied to all employees within the Executive Department.
  - h) The appropriation supported by the State Bar Fund, as authorized by § 54.1-3913, Code of Virginia, unless the supporting revenues for such appropriation are estimated to be insufficient to pay the appropriation.
7. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction or on an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to the maximum of 15 percent, as prescribed in subdivision 6a of this subsection.
8. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments of nongeneral fund appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriations; however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund sources on account of reduced revenues until such time as a formal written re-estimate of revenues for the current and next biennium, prepared in accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the Chairmen of the Senate Finance and Appropriations, House Finance, and House Appropriations Committees. For purposes of this subsection, major nongeneral fund sources are defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.
9. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of each year of the biennium, or within 20 days from that date, any available unexpended balances in other funds in the state treasury, subject to the following:
- a) The Governor shall declare in writing to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees that a fiscal emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of such transfer within five calendar days of the transfer;
  - b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by § 54.1-3913, Code of Virginia, debt service funds, or federal funds; and
  - c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the amount transferred from each account or fund and recommendations for restoring such amounts.
10. The Director, Department of Planning and Budget, shall make available via electronic means a report of spending authority withheld under the provisions of this subsection to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees within five calendar days of the action to withhold. Said report shall include the amount withheld by agency and appropriation item.
11. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between projected general fund resources and appropriations, the Speaker of the House of Delegates and the President pro tempore of the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the General Assembly.

#### § 4-1.03 APPROPRIATION TRANSFERS

##### GENERAL

- a. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority from one state or other agency to another, to effect the following:
  - 1) distribution of amounts budgeted in the central appropriation to agencies, or withdrawal of budgeted amounts from agencies in accordance with specific language in the central appropriation establishing reversion clearing accounts;
  - 2) distribution of pass-through grants or other funds held by an agency as fiscal agent;
  - 3) correction of errors within this act, where such errors have been identified in writing by the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees;
  - 4) proper accounting between fund sources 0100 and 0300 in higher education institutions;
  - 5) transfers specifically authorized elsewhere in this act or as specified in the Code of Virginia;
  - 6) to supplement capital projects in order to realize efficiencies or provide for cost overruns unrelated to changes in size or scope; or

7) to administer a program for another agency or to effect budgeted program purposes approved by the General Assembly, pursuant to a signed agreement between the respective agencies.

b. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority within an agency to effect proper accounting between fund sources and to effect program purposes approved by the General Assembly, unless specifically provided otherwise in this act or as specified in the Code of Virginia. However, appropriation authority for local aid programs and aid to individuals, with the exception of student financial aid, shall not be transferred elsewhere without advance notice to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Further, any transfers between capital projects shall be made only to realize efficiencies or provide for cost overruns unrelated to changes in size or scope.

c.1. In addition to authority granted elsewhere in this act, the Director, Department of Planning and Budget, may transfer operating appropriations authority among sub-agencies within the Judicial System, the Department of Corrections, and the Department of Behavioral Health and Developmental Services to effect changes in operating expense requirements which may occur during the biennium.

2. The Director, Department of Planning and Budget, may transfer appropriations from the Department of Behavioral Health and Developmental Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided by its institutions and Community Services Boards.

3. The Director, Department of Planning and Budget, may transfer appropriations from the Office of Comprehensive Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided to eligible children.

4. The Director, Department of Planning and Budget, may transfer an appropriation or portion thereof within a state or other agency, or from one such agency to another, to support changes in agency organization, program or responsibility enacted by the General Assembly to be effective during the current biennium.

5. The Director, Department of Planning and Budget, may transfer appropriations from the second year to the first year, with said transfer to be reported in writing to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees within five calendar days of the transfer, when the expenditure of such funds is required to:

a) address a threat to life, safety, health or property, or

b) provide for unbudgeted cost increases for statutorily required services or federally mandated services, in order to continue those services at the present level, or

c) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or

d) provide for payments to the beneficiaries of certain public safety officers killed in the line of duty, as authorized in Title 2.2, Chapter 4, Code of Virginia and for payments to the beneficiaries of certain members of the National Guard and United States military reserves killed in action in any armed conflict on or after October 7, 2001, as authorized in § 44-93.1 B., Code of Virginia, or

e) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in workload such as enrollment, caseload or like factors, or unanticipated costs, or

f) to address unanticipated business or industrial development opportunities which will benefit the state's economy, provided that any such appropriations be used in a manner consistent with the purposes of the program as originally appropriated.

6. An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed specifically for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized budgeting and accounting systems.

7. The Director, Department of Planning and Budget, may transfer from any other agency, appropriations to supplement any project of the Virginia Public Building Authority authorized by the General Assembly and approved by the Governor. Such capital project shall be transferred to the state agency designated as the managing agency for the Virginia Public Building Authority.

8. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 of Title 15.2 of the Code of Virginia (§ 15.2-4100 et seq.) or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 of Title 15.2, Code of Virginia (§ 15.2-3500 et seq.) subsequent to July 1, 1999, the provisions of § 15.2-1302 shall govern distributions from state agencies to the county in which the town is situated or to the consolidated city, and the Director, Department of Planning and Budget, is authorized to transfer appropriations or portions thereof within a state agency, or from one such agency to another, if necessary to fulfill the requirements of § 15.2-1302.

## § 4-1.04 APPROPRIATION INCREASES

## a. UNAPPROPRIATED NONGENERAL FUNDS:

## 1. Sale of Surplus Materials:

The Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of credit resulting from the sale of surplus materials under the provisions of § 2.2-1125, Code of Virginia.

## 2. Insurance Recovery:

The Director, Department of Planning and Budget, shall increase the appropriation authority for any state agency by the amount of the proceeds of an insurance policy or from the State Insurance Reserve Trust Fund, for expenditures as far as may be necessary, to pay for the repair or replacement of lost, damaged or destroyed property, plant or equipment.

## 3. Gifts, Grants and Other Nongeneral Funds:

a) Subject to § 4-1.02 c, Increased Nongeneral Fund Revenue, and the conditions stated in this section, the Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of the proceeds of donations, gifts, grants or other nongeneral funds paid into the state treasury in excess of such appropriations during a fiscal year. Such appropriations shall be increased only when the expenditure of moneys is authorized elsewhere in this act or is required to:

- 1) address a threat to life, safety, health or property or
- 2) provide for unbudgeted increases in costs for services required by statute or services mandated by the federal government, in order to continue those services at the present level or implement compensation adjustments approved by the General Assembly, or
- 3) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or
- 4) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in noncredit instruction at institutions of higher education or business and industrial development opportunities which will benefit the state's economy, or
- 5) participate in a federal or sponsored program provided that the provisions of § 4-5.03 shall also apply to increases in appropriations for additional gifts, grants, and other nongeneral fund revenue which require a general fund match as a condition of their acceptance; or
- 6) realize cost savings in excess of the additional funds provided, or
- 7) permit a state agency or institution to use a donation, gift or grant for the purpose intended by the donor, or
- 8) provide for cost overruns on capital projects and for capital projects authorized under § 4-4.01 l of this act, or
- 9) address caseload or workload changes in programs approved by the General Assembly.

b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.

c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from donations, gifts or other nongeneral fund revenue. The Department of Planning and Budget shall review such estimates and verify their accuracy, as part of the budget planning and review process.

d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the Director, Department of Planning and Budget. Expenditures from any gift, grant or donation shall be in accordance with the purpose for which it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject to the provisions of §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects General, and 4-5.03 b Services and Clients-New Services, of this act.

e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations, Gifts, Grants, and Contracts of this act.

4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director, Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise. Revenues deposited to the Virginia Health Care Fund shall be used only as the state share of Medicaid, unless the General Assembly specifically authorizes an alternate use. With regard to the appropriation of other nongeneral fund cash balances, the Director shall make a listing of such transactions available to the public via electronic means no less than ten business days following the approval of the appropriation of any such balance.

## 5. Reporting:

The Director, Department of Planning and Budget, shall make available via electronic means a report on increases in unappropriated nongeneral funds in accordance with § 4-8.00, Reporting Requirements, or as modified by specific provisions in this subsection.

b. AGRIBUSINESS EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS

The Director of the Department of Planning and Budget may increase the Department of Corrections appropriation for the purchase of agribusiness equipment or the repair or construction of agribusiness facilities by an amount equal to fifty percent of any annual amounts in excess of fiscal year 1992 deposits to the general fund from agribusiness operations. It is the intent of the General Assembly that appropriation increases for the purposes specified shall not be used to reduce the general fund appropriations for the Department of Corrections.

§ 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS

a. GENERAL FUND OPERATING EXPENSE:

1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium or (ii) the last day of the first year of the current biennium, shall be reappropriated and allotted for expenditure where required by the Code of Virginia, where necessary for the payment of preexisting obligations for the purchase of goods or services, or where desirable, in the determination of the Governor, to address any of the six conditions listed in § 4-1.03 c.5 of this act or to provide financial incentives to reduce spending to effect current or future cost savings. With the exception of the unexpended general fund appropriations of agencies in the Legislative Department, the Judicial Department, the Independent Agencies, or institutions of higher education, all other such unexpended general fund appropriations unexpended on the last day of the previous biennium or the last day of the first year of the current biennium shall revert to the general fund.

b) General fund appropriations for agencies in the Legislative Department, the Judicial Department, and the Independent Agencies shall be reappropriated, except as may be specifically provided otherwise by the General Assembly. General fund appropriations shall also be reappropriated for institutions of higher education, subject to § 23.1-1002, Code of Virginia.

c) To improve the stability in institutional planning and predictability for students and families to prepare for the cost of higher education, public higher education institutions are encouraged to employ the financial management strategy of establishing an institutional reserve fund supported by any unexpended education and general appropriations of the institution at the end of the fiscal year. The establishment of such a fund is designed to foster more long-term planning, promote efficient resource utilization and reduce the need for substantial year-to-year increases in tuition, thereby increasing affordability for Virginians. Independent of the provisions of § 23.1-1001, institutions are authorized to carry over education and general unexpended balances to establish and maintain a reserve fund in an amount not to exceed six percent of their general fund appropriation for educational and general programs in the most recently-completed fiscal year. Any use of the reserve fund shall be approved by the Board of Visitors of the affected institution, and the institution shall immediately report the details of the approved plan for use of the reserve fund to the Governor, the Secretary of Education, the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Any reserve fund shall be subject to the provisions of § 23.1-1303.B.11.

2. a. The Governor shall report within five calendar days after completing the reappropriation process to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees on the reappropriated amounts for each state agency in the Executive Department. He shall provide a preliminary report of reappropriation actions on or before November 1 and a final report on or before December 20 to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

b. The Director, Department of Planning and Budget, may transfer reappropriated amounts within an agency to cover nonrecurring costs.

3. Pursuant to subsection E of § 2.2-1125, Code of Virginia, the determination of compliance by an agency or institution with management standards prescribed by the Governor shall be made by the Secretary of Finance and the Secretary having jurisdiction over the agency or institution, acting jointly.

4. The general fund resources available for appropriation in the first enactment of this act include the reversion of certain unexpended balances in operating appropriations as of June 30 of the prior fiscal year, which were otherwise required to be reappropriated by language in the Appropriation Act.

5. Upon request, the Director, Department of Planning and Budget, shall provide a report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees showing the amount reverted for each agency and the total amount of such reversions.

b. NONGENERAL FUND OPERATING EXPENSE:

Based on analysis by the State Comptroller, when any nongeneral fund has had no increases or decreases in fund balances for a

period of 24 months, the State Comptroller shall promptly transfer and pay the balance into the fund balance of the general fund. If it is subsequently determined that an appropriate need warrants repayment of all or a portion of the amount transferred, the Director, Department of Planning and Budget shall include repayment in the next budget bill submitted to the General Assembly. This provision does not apply to funds held in trust by the Commonwealth.

c. CAPITAL PROJECTS:

1. Upon certification by the Director, Department of Planning and Budget, the State Comptroller is hereby authorized to revert to the fund balance of the general fund any portion of the unexpended general fund cash balance and corresponding appropriation or reappropriation for a capital project when the Director determines that such portion is not needed for completion of the project. The State Comptroller may similarly return to the appropriate fund source any part of the unexpended nongeneral fund cash balance and reduce any appropriation or reappropriation which the Director determines is not needed to complete the project.

2. The unexpended general fund cash balance and corresponding appropriation or reappropriation for capital projects shall revert to and become part of the fund balance of the general fund during the current biennium as of the date the Director, Department of Planning and Budget, certifies to the State Comptroller that the project has been completed in accordance with the intent of the appropriation or reappropriation and there are no known unpaid obligations related to the project. The State Comptroller shall return the unexpended nongeneral fund cash balance, if there be any, for such completed project to the source from which said nongeneral funds were obtained. Likewise, he shall revert an equivalent portion of the appropriation or reappropriation of said nongeneral funds.

3. The Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if he shall subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for which an unexpended cash balance was returned and appropriation or reappropriation was reverted in the prior biennium, he may likewise restore any portion of such amount under the same conditions.

§ 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

a. LIMITED CONTINUATION OF APPROPRIATIONS.

Notwithstanding any contrary provision of law, any unexpended balances on the books of the State Comptroller as of the last day of the previous biennium shall be continued in force for such period, not exceeding 10 days from such date, as may be necessary in order to permit payment of any claims, demands or liabilities incurred prior to such date and unpaid at the close of business on such date, and shown by audit in the Department of Accounts to be a just and legal charge, for values received as of the last day of the previous biennium, against such unexpended balances.

b. LIMITATIONS ON CASH DISBURSEMENTS.

Notwithstanding any contrary provision of law, the State Comptroller may begin preparing the accounts of the Commonwealth for each subsequent fiscal year on or about 10 days before the start of such fiscal year. The books will be open only to enter budgetary transactions and transactions that will not require the receipt or disbursement of funds until after June 30. Should an emergency arise, or in years in which July 1 falls on a weekend requiring the processing of transactions on or before June 30, the State Comptroller may, with notification to the Auditor of Public Accounts, authorize the disbursement of funds drawn against appropriations of the subsequent fiscal year, not to exceed the sum of three million dollars (\$3,000,000) from the general fund. This provision does not apply to debt service payments on bonds of the Commonwealth which shall be made in accordance with bond documents, trust indentures, and/or escrow agreements.

§ 4-1.07 ALLOTMENTS

Except when otherwise directed by the Governor within the limits prescribed in §§ 4-1.02 Withholding of Spending Authority, 4-1.03 Appropriation Transfers, and 4-1.04 Appropriation Increases of this act, the Director, Department of Planning and Budget, shall prepare and act upon the allotment of appropriations required by this act, and by § 2.2-1819, Code of Virginia, and the authorizations for rates of pay required by this act. Such allotments and authorizations shall have the same effect as if the personal signature of the Governor were subscribed thereto. This section shall not be construed to prohibit an appeal by the head of any state agency to the Governor for reconsideration of any action taken by the Director, Department of Planning and Budget, under this section.

**§ 4-2.00 REVENUES**

§ 4-2.01 NONGENERAL FUND REVENUES

a. SOLICITATION AND ACCEPTANCE OF DONATIONS, GIFTS, GRANTS, AND CONTRACTS:

1. a) No state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds, except that donations or gifts to the Virginia War Memorial Foundation that are small in size and number and valued at less than \$5,000, such as library items or small display items, may be approved by the Executive Director of the Virginia War Memorial in consultation with the Secretary of Veterans Affairs and Homeland Security. All other gifts and donations to the Virginia War Memorial Foundation must receive written approval from the Secretary of Veterans Affairs and Homeland Security.

b) The limits on solicitation and acceptance of donations, gifts, grants, and contracts stated in paragraph 1.a) above shall not apply to donations, gifts, grants, and contracts associated with support and/or response to the needs and impacts of the COVID-19 pandemic provided that acceptance of such does not create any ongoing commitments against general or nongeneral fund resources of the Commonwealth.

2. The Governor may issue policies in writing for procedures which allow state agencies to solicit and accept nonmonetary donations, gifts, grants, or contracts except that donations, gifts and grants of real property shall be subject to § 4-4.00 of this act and § 2.2-1149, Code of Virginia. This provision shall apply to donations, gifts and grants of real property to endowment funds of institutions of higher education, when such endowment funds are held by the institution in its own name and not by a separately incorporated foundation or corporation.

3. The preceding subdivisions shall not apply to property and equipment acquired and used by a state agency or institution through a lease purchase agreement and subsequently donated to the state agency or institution during or at the expiration of the lease purchase agreement, provided that the lessor is the Virginia College Building Authority.

4. The use of endowment funds for property, plant or equipment for state-owned facilities is subject to §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects-General and 4-5.03 Services and Clients of this act.

5. Notwithstanding any other provision of law, public institutions of higher education may enter into agreements or contracts with nonprofit organizations that provide funding for research or other mission related activities and require use of binding arbitration or application of the laws of another jurisdiction, upon approval of the Office of the Attorney General.

#### b. HIGHER EDUCATION TUITION AND FEES

1. Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, all nongeneral fund collections by public institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment funds, or income derived from endowments and gifts.

2. a) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at levels they deem to be appropriate for all resident student groups based on, but not limited to, competitive market rates, provided that the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for educational and general programs provided in this act.

b) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at levels they deem to be appropriate for all nonresident student groups based on, but not limited to, competitive market rates, provided that: i) the tuition and mandatory educational and general fee rates for nonresident undergraduate and graduate students cover at least 100 percent of the average cost of their education, as calculated through base adequacy guidelines adopted, and periodically amended, by the Joint Subcommittee Studying Higher Education Funding Policies, and ii) the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for educational and general programs provided in this act.

c) For institutions charging nonresident students less than 100 percent of the cost of education, the State Council of Higher Education for Virginia may authorize a phased approach to meeting this requirement, when in its judgment, it would result in annual tuition and fee increases for nonresident students that would discourage their enrollment.

d) The Boards of Visitors or other governing bodies of institutions of higher education shall not increase the current proportion of nonresident undergraduate students if the institution's nonresident undergraduate enrollment exceeds 25 percent, unless: i) such enrollment is intended to support workforce development needs within the Commonwealth of Virginia as identified in consultation with the Virginia Economic Development Partnership, and ii) the number of in-state undergraduate students does not drop below fall 2018 full-time equivalent census levels as certified by the State Council of Higher Education for Virginia. Norfolk State University, Virginia Military Institute, Virginia State University, and two-year public institutions are exempt from this restriction. Any such increases shall be limited to no more than a one percentage point increase over the prior year.

3. a) In setting the nongeneral fund appropriation for educational and general programs at the institutions of higher education, the General Assembly shall take into consideration the appropriate student share of costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

b) In determining the appropriate state share of educational costs for resident students, the General Assembly shall seek to cover at least 67 percent of educational costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

4. a) Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as

well as the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities to citizens of Virginia is served, while recognizing the material contributions provided by the presence of nonresident students. The State Council of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

b) The State Council of Higher Education for Virginia shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees no later than August 1 of each year the annual change in total charges for tuition and all required fees approved and allotted by the Board of Visitors. As it deems appropriate, the State Council of Higher Education for Virginia shall provide comparative national, peer, and market data with respect to charges assessed students for tuition and required fees at institutions outside of the Commonwealth.

c) Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.

d) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 144 and 145 of the 2019 Acts of Assembly, each institution shall work with the State Council of Higher Education for Virginia and the Virginia College Savings Plan to determine appropriate tuition and fee estimates for tuition savings plans.

5. It is the intent of the General Assembly that each institution's combined general and nongeneral fund appropriation within its educational and general program closely approximate the anticipated annual budget each fiscal year.

6. Nonresident graduate students employed by an institution as teaching assistants, research assistants, or graduate assistants and paid at an annual contract rate of \$4,000 or more may be considered resident students for the purposes of charging tuition and fees.

7. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002.

8. a) 1) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, mandatory fees for purposes other than educational and general programs shall not be increased for Virginia undergraduates beyond three percent annually, excluding requirements for wage, salary, and fringe benefit increases, authorized by the General Assembly. Fee increases required to carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on the purposes of the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase.

2) The University of Mary Washington is hereby authorized to undertake a review of its tuition and fee structure for the purpose of more closely aligning auxiliary fees, including room, board, and the comprehensive fee, with auxiliary expenditure budgets. Adjustments to mandatory fees in auxiliary programs may exceed three percent subject to annual approval by the University's Board of Visitors to the extent required to effect budgetary alignment of revenues and expenditures. This exemption will be limited to the period beginning in fiscal year 2019-20 and extending through the end of fiscal year 2023-24.

b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the General Assembly.

c) Due to the small mandatory non-educational and general program fees currently assessed students in the Virginia Community College System, increases in any one year of no more than \$15 shall be allowed on a cost-justified case-by-case basis, subject to approval by the State Board for Community Colleges.

9. Any institution of higher education granting new tuition waivers to resident or nonresident students not authorized by the Code of Virginia must absorb the cost of any discretionary waivers.

10. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

**c. HIGHER EDUCATION PLANNED EXCESS REVENUES:**

An institution of higher education, except for those public institutions governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, may generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition and Fees, subject to the following:



1. Such revenues are identified by language in the appropriations in this act to any such institution.
2. The use of such moneys is fully documented by the institution to the Governor prior to each fiscal year and prior to allotment.
3. The moneys are supplemental to, and not a part of, ongoing expenditure levels for educational and general programs used as the basis for funding in subsequent biennia.
4. The receipt and expenditure of these moneys shall be recorded as restricted funds on the books of the Department of Accounts and shall not revert to the surplus of the general fund at the end of the biennium.
5. Tuition and fee revenues generated by the institution other than as provided herein shall be subject to the provisions of § 4-1.04 a.3 Gifts, Grants, and Other Nongeneral Funds of this act.

#### § 4-2.02 GENERAL FUND REVENUE

##### a. STATE AGENCY PAYMENTS INTO GENERAL FUND:

1. Except as provided in § 4-2.02 a.2., all moneys, fees, taxes, charges and revenues received at any time by the following agencies from the sources indicated shall be paid immediately into the general fund of the state treasury:

##### a) Marine Resources Commission, from all sources, except:

- 1) Revenues payable to the Public Oyster Rocks Replenishment Fund established by § 28.2-542, Code of Virginia.
- 2) Revenue payable to the Virginia Marine Products Fund established by § 3.2-2705, Code of Virginia.
- 3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § 28.2-302.3, Code of Virginia.
- 4) Revenue payable to the Marine Fishing Improvement Fund established by § 28.2-208, Code of Virginia.
- 5) Revenue payable to the Marine Habitat and Waterways Improvement Fund established by § 28.2-1206, Code of Virginia.
- 6) Revenue payable to the Oyster Leasing Conservation and Replenishment Programs Fund.

b1) Department of Labor and Industry, or any other agency, for the administration of the state labor and employment laws under Title 40.1, Code of Virginia.

2) Department of Labor and Industry, from boiler and pressure vessel inspection certificate fees, pursuant to § 40.1-51.15, Code of Virginia.

c) All state institutions for the mentally ill or intellectually disabled, from fees or per diem paid employees for the performance of services for which such payment is made, except for a fee or per diem allowed by statute to a superintendent or staff member of any such institution when summoned as a witness in any court.

d) Secretary of the Commonwealth, from all sources.

e) The Departments of Corrections and Juvenile Justice, as required by law, including revenues from sales of dairy and other farm products.

f) Auditor of Public Accounts, from charges for audits or examinations when the law requires that such costs be borne by the county, city, town, regional government or political subdivision of such governments audited or examined.

g) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.

h) Department of the Treasury, from the following source:

Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.

i) Attorney General, from recoveries of attorneys' fees and costs of litigation.

j) Department of Social Services, from net revenues received from child support collections after all disbursements are made in accordance with state and federal statutes and regulations, and the state's share of the cost of administering the programs is paid.

k) Department of General Services, from net revenues received from refunds of overpayments of utilities charges in prior fiscal years, after deduction of the cost of collection and any refunds due to the federal government.

1) Without regard to paragraph e) above, the following revenues shall be excluded from the requirement for deposit to the general fund and shall be deposited as follows: (1) payments to Virginia Correctional Enterprises shall be deposited into the Virginia Correctional Enterprises Fund; (2) payments to the Departments of Corrections and Juvenile Justice for work performed by inmates, work release prisoners, probationers or wards, which are intended to cover the expenses of these inmates, work release prisoners, probationers, or wards, shall be retained by the respective agencies for their use; and (3) payments to the Departments of Corrections and Juvenile Justice for work performed by inmates in educational programs shall be retained by the agency to increase vocational training activities and to purchase work tools and work clothes for inmates, upon release.

2. The provisions of § 4-2.02 a.1. State Agency Payments into General Fund shall not apply to proceeds from the sale of surplus materials pursuant to § 2.2-1125, Code of Virginia. However, the State Comptroller is authorized to transfer to the general fund of the state treasury, out of the credits under § 4-1.04 a.1 Unappropriated Nongeneral Funds – Sale of Surplus Materials of this act, sums derived from the sale of materials originally purchased with general fund appropriations. The State Comptroller may authorize similar transfers of the proceeds from the sale of property not subject to § 2.2-1124, Code of Virginia, if said property was originally acquired with general fund appropriations, unless the General Assembly provides otherwise.

a. Without regard to § 4-2.02 a.1 above, payments to the Treasurer of Virginia assessed to insurance companies for the safekeeping and handling of securities or surety bonds deposited as insurance collateral shall be deposited into the Insurance Collateral Assessment Fund to defray such safekeeping and handling expenses.

**b. DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT**

Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of Virginia; (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from the use of money and property required and/or authorized to be paid into the general fund of the treasury; and (iii) amounts required to be deposited to the general fund of the state treasury pursuant to § 4-2.02 a.1., of this act. However, in no case shall (i) lump-sum payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia.

**c. DATE OF RECEIPT OF REVENUES:**

All June general fund collections received under Subtitle I of Title 58.1, Code of Virginia, bearing a postmark date or electronic transactions with a settlement or notification date on or before the first business day in July, when June 30 falls on a Saturday or Sunday, shall be considered as June revenue and recorded under guidelines established annually by the Department of Accounts.

**d. RECOVERIES BY THE OFFICE OF THE ATTORNEY GENERAL**

1. As a condition of the appropriation for Item 59 of this Act, there is hereby created the Disbursement Review Committee (the "Committee"), the members of which are the Attorney General, who shall serve as chairman; two members of the House of Delegates appointed by the Speaker of the House; two members of the Senate appointed by the Chairman of the Senate Committee on Rules; and two members appointed by the Governor.

2. Whenever forfeitures are available for distribution by the Attorney General through programs overseen by either the U.S. Department of Justice Asset Forfeiture Program or the U.S. Treasury Executive Office for Asset Forfeiture, by virtue of the Attorney General's participation on behalf of the Commonwealth or on behalf of an agency of the Commonwealth, the Attorney General shall seek input from the Committee, to the extent permissible under applicable federal law and guidelines, for the preparation of a proposed Distribution Plan (the "Plan") regarding the distribution and use of money or property, or both. If a federal entity must approve the Plan for such distribution or use, or both, and does not approve the Plan submitted by the Attorney General, the Plan may be revised if deemed appropriate and resubmitted to the federal entity for approval following notification of the Committee. If the federal entity approves the original Plan or a revised Plan, the Attorney General shall inform the Committee, and ensure that such money or property, or both, is distributed or used, or both, in a manner that is consistent with the Plan approved by the federal entity. The distribution of any money or property, or both, shall be done in a manner as prescribed by the State Comptroller and consistent with any federal authorization in order to ensure proper accounting on the books of the Commonwealth.

**§ 4-2.03 INDIRECT COSTS**

**a. INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:**

Each state agency, including institutions of higher education, which accepts a grant or contract shall recover full statewide and agency indirect costs unless prohibited by the grantor agency or exempted by provisions of this act.

**b. AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:**

The following conditions shall apply to indirect cost recoveries received by all agencies other than institutions of higher education:

1. The Governor shall include in the recommended nongeneral fund appropriation for each agency in this act the amount which the

agency includes in its revenue estimate as an indirect cost recovery. The recommended nongeneral fund appropriations shall reflect the indirect costs in the program incurring the costs.

2. If actual agency indirect cost recoveries exceed the nongeneral fund amount appropriated in this act, the Director, Department of Planning and Budget, is authorized to increase the nongeneral fund appropriation to the agency by the amount of such excess indirect cost recovery. Such increase shall be made in the program incurring the costs.

3. Statewide indirect cost recoveries shall be paid into the general fund of the state treasury, unless the agency is specifically exempted from this requirement by language in this act. Any statewide indirect cost recoveries received by the agency in excess of the exempted sum shall be deposited to the general fund of the state treasury.

c. INSTITUTIONS OF HIGHER EDUCATION:

The following conditions shall apply to indirect cost recoveries received by institutions of higher education:

1. Seventy percent shall be retained by the institution as an appropriation of moneys for the conduct and enhancement of research and research-related requirements. Such moneys may be used for payment of principal of and interest on bonds issued by or for the institution pursuant to § 23.1-1106, Code of Virginia, for any appropriate purpose of the institution, including, but not limited to, the conduct and enhancement of research and research-related requirements.

2. Thirty percent of the indirect cost recoveries for the level of sponsored programs authorized in the appropriations in Part 1 of Chapter 1042 of the Acts of Assembly of 2003, shall be included in the educational and general revenues of the institution to meet administrative costs.

3. Institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grant and contract levels in excess of the levels authorized in Chapter 1042 of the Acts of Assembly of 2003. This provision is included as an additional incentive for increasing externally funded research activities.

d. REPORTS

The Director, Department of Planning and Budget, shall make available via electronic means a report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees and the public no later than September 1 of each year on the indirect cost recovery moneys administratively appropriated.

e. REGULATIONS:

The State Comptroller is hereby authorized to issue regulations to carry out the provisions of this subsection, including the establishment of criteria to certify that an agency is in compliance with the provisions of this subsection.

**§ 4-3.00 DEFICIT AUTHORIZATION AND TREASURY LOANS**

§ 4-3.01 DEFICITS

a. GENERAL:

1. Except as provided in this section no state agency shall incur a deficit. No state agency receiving general fund appropriations under the provisions of this act shall obligate or expend moneys in excess of its general fund appropriations, nor shall it obligate or expend moneys in excess of nongeneral fund revenues that are collected and appropriated.

2. The Governor is authorized to approve deficit funding for a state agency under the following conditions:

a) an unanticipated federal or judicial mandate has been imposed,

b) insufficient moneys are available in the first year of the biennium for start-up of General Assembly-approved action, or

c) delay pending action by the General Assembly at its next legislative session will result in the curtailment of services required by statute or those required by federal mandate or will produce a threat to life, safety, health or property.

d) Such approval by the Governor shall be in writing under the conditions described in § 4-3.02 a Authorized Deficit Loans of this act and shall be promptly communicated to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within five calendar days of deficit approval.

3. Deficits shall not be authorized for capital projects.

4. The Department of Transportation may obligate funds in excess of the current biennium appropriation for projects of a capital nature not covered by § 4-4.00 Capital Projects, of this act provided such projects a) are delineated in the Virginia Transportation Six-Year Improvement Program, as approved by the Commonwealth Transportation Board; and b) have sufficient cash allocated to each such project to cover projected costs in each year of the Program; and provided that c) sufficient revenues are projected to meet all cash obligations for such projects as well as all other commitments and

appropriations approved by the General Assembly in the biennial budget.

b. **UNAUTHORIZED DEFICITS:** If any agency contravenes any of the prohibitions stated above, thereby incurring an unauthorized deficit, the Governor is hereby directed to withhold approval of such excess obligation or expenditure. Further, there shall be no reimbursement of said excess, nor shall there be any liability or obligation upon the state to make any appropriation hereafter to meet such unauthorized deficit. Further, those members of the governing board of any such agency who shall have voted therefor, or its head if there be no governing board, making any such excess obligation or expenditure shall be personally liable for the full amount of such unauthorized deficit and, at the discretion of the Governor, shall be deemed guilty of neglect of official duty and be subject to removal therefor. Further, the State Comptroller is hereby directed to make public any such unauthorized deficit, and the Director, Department of Planning and Budget, is hereby directed to set out such unauthorized deficits in the next biennium budget. In addition, the Governor is directed to bring this provision of this act to the attention of the members of the governing board of each state agency, or its head if there be no governing board, within two weeks of the date that this act becomes effective. The governing board or the agency head shall execute and return to the Governor a signed acknowledgment of such notification.

c. **TOTAL AUTHORIZED DEFICITS:** The amount which the Governor may authorize, under the provisions of this section during the current biennium, to be expended from loans repayable out of the general fund of the state treasury, for all state agencies, or other agencies combined, in excess of general fund appropriations for the current biennium, shall not exceed one and one-half percent (1 1/2%) of the revenues collected and paid into the general fund of the state treasury as defined in § 4-2.02 b. of this act during the last year of the previous biennium and the first year of the current biennium.

d. The Governor shall report any such authorized and unauthorized deficits to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within five calendar days of deficit approval. By August 15 of each year, the Governor shall provide a comprehensive report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees detailing all such deficits.

#### § 4-3.02 TREASURY LOANS

a. **AUTHORIZED DEFICIT LOANS:** A state agency requesting authorization for deficit spending shall prepare a plan for the Governor's review and approval, specifying appropriate financial, administrative and management actions necessary to eliminate the deficit and to prevent future deficits. If the Governor approves the plan and authorizes a state agency to incur a deficit under the provisions of this section, the amount authorized shall be obtained by the agency by borrowing the authorized amount on such terms and from such sources as may be approved by the Governor. At the close of business on the last day of the current biennium, any unexpended balance of such loan shall be applied toward repayment of the loan, unless such action is contrary to the conditions of the loan approval. The Director, Department of Planning and Budget, shall set forth in the next biennial budget all such loans which require an appropriation for repayment. A copy of the approved plan to eliminate the deficit shall be transmitted to the Chairmen of the House Appropriations and the Senate Finance and Appropriations Committees within five calendar days of approval.

b. **ANTICIPATION LOANS:** Authorization for anticipation loans are limited to the provisions below.

1.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount of the anticipated collections of such revenues and shall be repaid only from such revenues when collected.

b) When the payment of authorized obligations for capital expenses is required prior to the collection of nongeneral fund revenues or proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans in anticipation of bond proceeds shall not exceed the amount of the anticipated proceeds from debt authorized by the General Assembly and shall be repaid only from such proceeds when collected.

2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed twelve months.

3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.

4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium.

5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from authorized debt and have anticipation loans.

6. Unless otherwise prohibited by federal or state law, the State Treasurer shall charge current market interest rates on anticipation loans made for operating purposes and capital projects subject to the following:

a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt from interest payments on borrowed balances.

b) Interest payments on anticipation loans for nongeneral fund capital projects or nongeneral fund operating expenses shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or from the proceeds of authorized debt without the approval of the State Treasurer.

c) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

c. ANTICIPATION LOANS FOR PROJECTS NOT INCLUDED IN THIS ACT OR FOR PROJECTS AUTHORIZED UNDER § 4-4.01 L: Authorization for anticipation loans for projects not included in this act or for projects authorized under § 4-4.01 l are limited to the provisions below:

1. Such loans are limited to those projects that shall be repaid from revenues derived from nongeneral fund sources.

2.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sum with the prior written approval of the Secretary of Finance or his designee as to the amount, terms, and sources of such funds. Such loans shall not exceed the amount of the anticipated collections of such nongeneral fund revenues and shall be repaid only from such nongeneral fund revenues when collected.

b) When the payment of obligations for capital expenses for projects authorized under § 4-4.01 l is required prior to the collection of nongeneral fund revenues, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

3. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed 12 months.

4. Before an anticipation loan is provided for a capital project authorized under § 4-4.01 l, the agency shall develop a plan for repayment of such loan and approval of the Director of the Department of Planning and Budget shall be obtained for all such plans and reported to the Chairman of the House Appropriations and Senate Finance and Appropriations Committees.

5. Anticipation loans for capital projects authorized under § 4-4.01 l shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

6. The State Treasurer shall charge current market interest rates on anticipation loans made for capital projects authorized under § 4-4.01 l. Interest payments on anticipation loans for nongeneral fund capital projects authorized under § 4-4.01 l shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan without the approval of the Director of the Department of Planning and Budget.

a) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

#### § 4-3.03 LONG-TERM LEASES

a. GENERAL:

1. As part of their capital budget submission, all agencies and institutions of the Commonwealth proposing building projects that may qualify as long-term lease agreements, as defined in Generally Accepted Accounting Principles (GAAP), and that may be supported in whole, or in part, from appropriations provided for in this act, shall submit copies of such proposals to the Directors of the Departments of Planning and Budget and General Services, the State Comptroller, and the State Treasurer based on guidelines promulgated by the Secretary of Finance. In addition, the Secretary of Finance may promulgate guidelines for the review and approval of such requests.

2. The proposals shall be submitted in such form as the Secretary of Finance may prescribe. The Comptroller and the Director, Department of General Services shall be responsible for evaluating the proposals to determine if they qualify as long-term lease agreements. The State Treasurer shall be responsible for incorporating existing and authorized long-term lease agreements meeting the approved parameters into the annual Debt Capacity Advisory Committee reports.

b. APPROVAL OF FINANCINGS:

1. For any project which qualifies as a long-term lease, as defined in the preceding subdivisions a 1 and 2, and which is financed through the issuance of securities, the Treasury Board shall approve the terms and structure of such financing pursuant to § 2.2-2416, Code of Virginia.

2. For any project for which costs will exceed \$5,000,000 and which is financed through a long-term lease transaction, the Treasury Board shall approve the financing terms and structure of such long-term lease in addition to such other reviews and approvals as may be required by law. Prior to consideration by the Treasury Board, the Departments of Accounts shall notify the Treasury Board of any transaction determined to be a long-term lease. Additionally, the Departments of General Services and Planning and Budget shall notify the Treasury Board upon their approval of any transaction which qualifies as a long-term lease under the terms of this section. The State Treasurer shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees of the action of the Treasury Board as it regards this subdivision within five calendar days of its action.

c. REPORTS: Not later than December 20 of each year, the Secretary of Finance and the Secretary of Administration shall jointly be responsible for providing the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees with recommendations involving proposed long-term lease agreements.

d. This section shall not apply to long-term leases that are funded entirely with nongeneral fund revenues and are entered into by public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly. Furthermore, the Department of General Services is authorized to enter into long-term leases for executive branch agencies provided that the resulting long-term lease is funded entirely with nongeneral funds, is approved based on the requirements of § 4-3.03 b.1 and 2 above, and would not be considered tax supported debt of the Commonwealth.

#### § 4-4.00 CAPITAL PROJECTS

##### § 4-4.01 GENERAL

###### a. Definition:

1. Unless defined otherwise, when used in this section, "capital project" or "project" means acquisition of property and new construction and improvements related to state-owned property, plant or equipment (including plans therefor), as the terms "acquisition", "new construction", and "improvements" are defined in the instructions for the preparation of the Executive Budget. "Capital project" or "project" shall also mean any improvements to property leased for use by a state agency, and not owned by the state, when such improvements are financed by public funds, except as hereinafter provided in subdivisions 3 and 4 of this subsection.

2. The provisions of this section are applicable equally to acquisition of property and plant by purchase, gift, or any other means, including the acquisition of property through a lease/purchase contract, regardless of the method of financing or the source of funds. Acquisition of property by lease shall be subject to § 4-3.03 of this act.

3. The provisions of this section shall not apply to property or equipment acquired by lease or improvements to leased property and equipment when the improvements are provided by the lessor pursuant to the terms of the lease and upon expiration of the lease remain the property of the lessor.

4. The provisions of this section shall not apply to property leased by state agencies for the purposes described in §§ 2.2-1151 C and 33.2-1010, Code of Virginia.

###### b. Notwithstanding any other provisions of law, requests for appropriations for capital projects shall be subject to the following:

1. The agency shall submit a capital project proposal for all requested capital projects. Such proposals shall be submitted to the Director, Department of Planning and Budget, for review and approval in accordance with guidelines prescribed by the director. Projects shall be developed to meet agency functional and space requirements within a cost range comparable to similar public and private sector projects.

2. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, financings for capital projects shall comply, where applicable, with the Treasury Board Guidelines issued pursuant to § 2.2-2416, Code of Virginia, and any subsequent amendments thereto.

3. As part of any request for appropriations for an armory, the Department of Military Affairs shall obtain a written commitment from the host locality to share in the operating expense of the armory.

c. Each agency head shall provide annually to the Director, Department of Planning and Budget, a report on the use of the maintenance reserve appropriation of the agency in Part 2 of this act. In the use of its maintenance reserve appropriation, an agency shall give first priority to the repair or replacement of roof on buildings under control of the agency. The agency head shall certify in the agency's annual maintenance reserve report that to the best of his or her knowledge, all necessary roof repairs have been accomplished or are in the process of being accomplished. Such roof repairs and replacements shall be in accord with the technical requirements of the Commonwealth's Construction and Professional Services Manual.

d. The Department of Planning and Budget shall review its approach to capital outlay planning and budgeting from time to time and make available via electronic means a report of any proposed change to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the public prior to its implementation. Such report shall include an analysis of the impact of the suggested change on affected agencies and institutions.

e. Nothing in §§ 2-0 and 4-4.00 of this act shall be deemed to override the provisions of §§ 2.2-1132 and 62.1-132.6, Code of Virginia, amended by Chapter 488, 1997 Acts of Assembly, relating to Virginia Port Authority capital projects and procurement activities.

f. Legislative Approval: It is the intent of the General Assembly that, with the exceptions noted in this paragraph and paragraph m, all capital projects to be undertaken by agencies of the Commonwealth, including institutions of higher education, shall be pursuant to approvals by the General Assembly as provided in the Six-Year Capital Outlay Plan established pursuant to § 2.2-1515, et seq., Code of Virginia. Otherwise, the consideration of capital projects shall be limited to:

1. Supplementing projects which have been bid and determined to have insufficient funding to be placed under contract, and
2. Projects declared by the Governor or the General Assembly to be of an emergency nature, which may avoid an increase in cost or otherwise result in a measurable benefit to the state, and/or which are required for the continued use of existing facilities.
3. This paragraph does not prohibit the initiation of projects authorized by § 4-4.01 1 hereof, or projects included under the central appropriations for capital project expenses in this act.

g. Preliminary Requirements: In regard to each capital project for which appropriation or reappropriation is made pursuant to this act, or which is hereafter considered by the Governor for inclusion in the Executive Budget, or which is offered as a gift or is considered for purchase, the Governor is hereby required: (1) to determine the urgency of its need, as compared with the need for other capital projects as herein authorized, or hereafter considered; (2) to determine whether the proposed plans and specifications for each capital project are suitable and adequate, and whether they involve expenditures which are excessive for the purposes intended; (3) to determine whether labor, materials, and other requirements, if any, needed for the acquisition or construction of such project can and will be obtained at reasonable cost; and (4) to determine whether or not the project conforms to a site or master plan approved by the agency head or board of visitors of an institution of higher education for a program approved by the General Assembly.

h. Initiation Generally:

1. No architectural or engineering planning for, or construction of, or purchase of any capital project shall be commenced or revised without the prior written approval of the Governor or his designee.
2. The requirements of § 10.1-1190, Code of Virginia, shall be met prior to the release of funds for a major state project, provided, however, that the Governor or his designee is authorized to release from any appropriation for a major state project made pursuant to this act such sum or sums as may be necessary to pay for the preparation of the environmental impact report required by § 10.1-1188, Code of Virginia.
3. The Governor, at his discretion, or his designee may release from any capital project appropriation or reappropriation made pursuant to this act such sum (or sums) as may be necessary to pay for the preparation of plans and specifications by architects and engineers, provided that the estimated cost of the construction covered by such drawings and specifications does not exceed the appropriation therefor; provided, further, however, that the architectural and engineering fees paid on completion of the preliminary design for any such project may be based on such estimated costs as may be approved by the Governor in writing, where it is shown to the satisfaction of the Governor that higher costs of labor or material, or both, or other unforeseen conditions, have made the appropriation inadequate for the completion of the project for which the appropriation was made, and where in the judgment of the Governor such changed conditions justify the payment of architectural or engineering fees based on costs exceeding the appropriation.
4. Architectural or engineering contracts shall not be awarded in perpetuity for capital projects at any state institution, agency or activity.

i. Capital Projects Financed with Bonds: Capital projects proposed to be financed with (i) 9 (c) general obligation bonds or (ii) 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the agency or institution, shall be reviewed as follows:

1. By August 15 of each year, requests for inclusion in the Executive Budget of capital projects to be financed with 9(c) general obligation bonds shall be submitted to the State Treasurer for evaluation of financial feasibility. Submission shall be in accordance with the instructions prescribed by the State Treasurer. The State Treasurer shall distribute copies of financial feasibility studies to the Director, Department of Planning and Budget, the Secretary for the submitting agency or institution, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, State Council of Higher Education for Virginia, if the project is requested by an institution of higher education.

2. By August 15 of each year, institutions shall also prepare and submit copies of financial feasibility studies to the State Council of Higher Education for Virginia for 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the institution. The State Council of Higher Education for Virginia shall identify the impact of all projects requested by the institutions of higher education, and as described in § 4-4.01 j.1. of this act, on the current and projected cost to students in institutions of higher education and the impact of the project on the institution's need for student financial assistance. The State Council of Higher Education for Virginia shall report such information to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1 of each year.

3. Prior to the issuance of debt for 9(c) general obligation projects, when more than one year has elapsed since the review of financial feasibility specified in § 4-4.01 j 1 above, an updated feasibility study shall be prepared by the agency and reviewed by the State Treasurer prior to requesting the Governor's Opinion of Financial Feasibility required under Article X, Section 9 (c), of the Constitution of Virginia.

j. Transfers to supplement capital projects from nongeneral funds may be made under the conditions set forth in §§ 4-1.03 a, 4-1.04 a.3, and 4-4.01 l of this act.

k.1. Change in Size and Scope: Unless otherwise provided by law, the scope, which is the function or intended use, of any capital project may not be substantively changed, nor its size increased or decreased by more than five percent in size beyond the plans and justification which were the basis for the appropriation or reappropriation in this act or for the Governor's authorization pursuant to § 4-4.01 l of this act. However, this prohibition is not applicable to changes in size and scope required because of circumstances determined by the Governor to be an emergency, or requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. Furthermore, this prohibition shall not apply to minor increases, beyond five percent, in square footage determined by the Director, Department of General Services, to be reasonable and appropriate based on a written justification submitted by the agency stating the reason for the increase, with the provision that such increase will not increase the cost of the project beyond the amount appropriated; nor to decreases in size beyond five percent to offset unbudgeted costs when such costs are determined by the Director, Department of Planning and Budget, to be reasonable based on a written justification submitted by the agency specifying the amount and nature of the unbudgeted costs and the types of actions that will be taken to decrease the size of the project. The written justification shall also include a certification, signed by the agency head, that the resulting project will be consistent with the original programmatic intent of the appropriations.

2. If space planning, energy conservation, and environmental standards guides for any type of construction have been approved by the Governor or the General Assembly, the Governor shall require capital projects to conform to such planning guides.

#### l. Projects Not Included In This Act:

##### 1. Authorization by Governor:

a) The Governor may authorize initiation of, planning for, construction of or acquisition of a nongeneral fund capital project not specifically included in this act or provided for a program approved by the General Assembly through appropriations, under one or more of the following conditions:

1) The project is required to meet an emergency situation.

2) The project is to be operated as an auxiliary enterprise or sponsored program in an institution of higher education and will be fully funded by revenues of auxiliary enterprises or sponsored programs.

3) The project is to be operated as an educational and general program in an institution of higher education and will be fully funded by nongeneral fund revenues of educational and general programs or from private gifts and indirect cost recoveries.

4) The project consists of plant or property which has become available or has been received as a gift.

5) The project has been recommended for funding by the Tobacco Indemnification and Community Revitalization Commission or the Virginia Tobacco Settlement Foundation.

b) The foregoing conditions are subject to the following criteria:

1) Funds are available within the appropriations made by this act (including those subject to §§ 4-1.03 a, 4-1.04 a.3, and 4-2.03) without adverse effect on other projects or programs, or from unappropriated nongeneral fund revenues or balances.

2) In the Governor's opinion such action may avoid an increase in cost or otherwise result in a measurable benefit to the state.

3) The authorization includes a detailed description of the project, the project need, the total project cost, the estimated operating costs, and the fund sources for the project and its operating costs.

4) The Chairmen of the House Appropriations and Senate Finance and Appropriations Committees shall be notified by the Governor prior to the authorization of any capital project under the provisions of this subsection.



5) Permanent funding for any project initiated under this section shall only be from nongeneral fund sources.

2. Authorization by Director, Department of Planning and Budget:

a) The Director, Department of Planning and Budget, may authorize initiation of a capital project not included in this act, if the General Assembly has enacted legislation to fund the project from bonds of the Virginia Public Building Authority, Virginia College Building Authority, or from reserves created by refunding of bonds issued by those Authorities.

3. Delegated authorization by Boards of Visitors, Public Institutions of Higher Education:

a) In accordance with § 4-5.06 of this act, the board of visitors of any public institution of higher education that: i) has met the eligibility criteria set forth in Chapters 933 and 945 of the 2005 Acts of Assembly for additional operational and administrative autonomy, including having entered into a memorandum of understanding with the Secretary of Administration for delegated authority of nongeneral fund capital outlay projects, and ii) has received a sum sufficient nongeneral fund appropriation for emergency projects as set out in Part 2: Capital Project Expenses of this act, may authorize the initiation of any capital project that is not specifically set forth in this act provided that the project meets at least one of the conditions and criteria identified in § 4-4.01 1 1 of this act.

b) At least 30 days prior to the initiation of a project under this provision, the board of visitors must notify the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and must provide a life-cycle budget analysis of the project. Such analysis shall be in a form to be prescribed by the Auditor of Public Accounts.

c) The Commonwealth of Virginia shall have no general fund obligation for the construction, operation, insurance, routine maintenance, or long-term maintenance of any project authorized by the board of visitors of a public institution of higher education in accordance with this provision.

m. Acquisition, maintenance, and operation of buildings and nonbuilding facilities in colleges and universities shall be subject to the following policies:

1. The anticipated program use of the building or nonbuilding facility should determine the funding source for expenditures for acquisition, construction, maintenance, operation, and repairs.

2. For new campuses to be established within the Virginia Community College System, expenditures for land acquisition, site preparation beyond five feet from a building, and the construction of additional outdoor lighting, sidewalks, outdoor athletic and recreational facilities, and parking lots in the Virginia Community College System shall be made only from appropriated federal funds, Trust and Agency funds, including local government allocations or appropriations, or the proceeds of indebtedness authorized by the General Assembly.

3. The general policy of the Commonwealth shall be that parking services are to be operated as an auxiliary enterprise by all colleges and universities. Institutions should develop sufficient reserves for ongoing maintenance and replacement of parking facilities.

4. Except as provided in paragraph 2 above, expenditures for maintenance, replacement, and repair of outdoor lighting, sidewalks, and other infrastructure facilities may be made from any appropriated funds.

5. Expenditures for operations, maintenance, and repair of athletic, recreational, and public service facilities, both indoor and outdoor, should be from nongeneral funds. However, this condition shall not apply to any indoor recreational facility existing on a community college campus as of July 1, 1988.

6.a.1. At institutions of higher education that have met the eligibility criteria for additional operational and administrative authority as set forth in Chapters 933 and 945 of the 2005 Acts of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly, any repair, renovation, or new construction project costing up to \$3,000,000 shall be exempt from the capital outlay review and approval process. For purposes of this paragraph, projects shall not include any subset of a series of projects, which in combination would exceed the \$3,000,000 maximum.

2. All state agencies and institutions of higher education shall be exempt from the capital review and approval process for repair, renovation, or new construction projects costing up to \$3,000,000.

b. Blanket authorizations funded entirely by nongeneral funds may be used for 1) renovation and infrastructure projects costing up to \$3,000,000 and 2) the planning of nongeneral fund new construction and renovation projects through bidding, with bid award made after receipt of a construction authorization. The Director, Department of Planning and Budget, may provide exemptions to the threshold.

7. It is the policy of the Commonwealth that the institutions of higher education shall treat the maintenance of their facilities as a priority for the allocation of resources. No appropriations shall be transferred from the "Operation and Maintenance of Plant" subprogram except for closely and definitely related purposes, as approved by the Director, Department of Planning and Budget, or his designee. A report providing the rationale for each approved transfer shall be made to the Chairmen of the House

Appropriations and Senate Finance and Appropriations Committees.

n. Legislative Intent and Reporting: Appropriations for capital projects shall be deemed to have been made for purposes which require their expenditure, or being placed under contract for expenditure, during the current biennium. Agencies to which such appropriations are made in this act or any other act are required to report progress as specified by the Governor. If, in the opinion of the Governor, these reports do not indicate satisfactory progress, he is authorized to take such actions as in his judgment may be necessary to meet legislative intent as herein defined. Reporting on the progress of capital projects shall be in accordance with § 4-8.00, Reporting Requirements.

o. No expenditure from a general fund appropriation in this act shall be made to expand or enhance a capital outlay project beyond that anticipated when the project was initially approved by the General Assembly except to comply with requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. General fund appropriations in excess of those necessary to complete the project shall not be reallocated to expand or enhance the project, or be reallocated to a different project. The prohibitions in this subsection shall not apply to transfers from projects for which reappropriations have been authorized.

p. Local or private funds to be used for the acquisition, construction or improvement of capital projects for state agency use as owner or lessee shall be deposited into the state treasury for appropriation prior to their expenditure for such projects.

q. State-owned Registered Historic Landmarks: To guarantee that the historical and/or architectural integrity of any state-owned properties listed on the Virginia Landmarks Register and the knowledge to be gained from archaeological sites will not be adversely affected because of inappropriate changes, the heads of those agencies in charge of such properties are directed to submit all plans for significant alterations, remodeling, redecoration, restoration or repairs that may basically alter the appearance of the structure, landscaping, or demolition to the Department of Historic Resources. Such plans shall be reviewed within thirty days and the comments of that department shall be submitted to the Governor through the Department of General Services for use in making a final determination.

r.1. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to the educational or real estate foundation of any institution of higher education where he finds that such property was acquired with local or private funds or by gift or grant to or for the use of the institution, and not with funds appropriated to the institution by the General Assembly. Any approved conveyance shall be exempt from § 2.2-1156, Code of Virginia, and any other statute concerning conveyance, transfer or sale of state property. If the foundation conveys any interest in the property or any improvements thereon, such conveyance shall likewise be exempt from compliance with any statute concerning disposition of state property. Any income or proceeds from the conveyance of any interest in the property shall be deemed to be local or private funds and may be used by the foundation for any foundation purpose.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

s.1. Facility Lease Agreements Involving Institutions of Higher Education: In the case of any lease agreement involving state-owned property controlled by an institution of higher education, where the lease has been entered into consistent with the provisions of § 2.2-1155, Code of Virginia, the Governor may amend, adjust or waive any project review and reporting procedures of Executive agencies as may reasonably be required to promote the property improvement goals for which the lease agreement was developed.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

t. Energy-efficiency Projects: Improvements to state-owned properties for the purpose of energy-efficiency shall be treated as follows:

1. Such improvements shall be considered an operating expense, provided that:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Energy;

d) the total cost does not exceed \$3,000,000; and

e) if the total cost exceeds \$3,000,000, but does not exceed \$7,000,000, the energy savings from the project offset the total cost of the project, including debt service and interest payments.

2. If (a) the total cost of the improvement exceeds \$7,000,000 or (b) the total cost exceeds \$3,000,000, but does not exceed \$7,000,000, and the energy savings from the project do not fully offset the total cost of the project, including debt services and interest payments, the improvement shall be considered a capital expense regardless of the type of improvement and the following conditions must be met:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Energy;

d) the project has been reviewed by the Department of Planning and Budget; and

e) the project has been approved by the Governor.

3. If the total project exceeds \$250,000, the agency director will submit written notification to the Director, Department of Planning and Budget, verifying that the project meets all of the conditions in subparagraph 1 above.

The provisions of §§ 2.0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to energy conservation projects that qualify as capital expenses.

4. As used in this paragraph, "improvement" does not include (a) constructing, enlarging, altering, repairing or demolishing a building or structure, (b) changing the use of a building either within the same use group or to a different use group when the new use requires greater degrees of structural strength, fire protection, exit facilities or sanitary provisions, or (c) removing or disturbing any asbestos-containing materials during demolition, alteration, renovation of or additions to building or structures. If the projected scope of an energy-efficiency project includes any of these elements, it shall be subject to the capital outlay process as set out in this section.

5. The Director, Department of Planning and Budget, shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees upon the initiation of any energy-efficiency projects under the provisions of this paragraph.

u. No expenditures shall be authorized for the purchase of fee simple title to any real property to be used for a correctional facility or for the actual construction of a correctional facility provided for in this act, or by reference hereto, that involves acquisition or new construction of youth or adult correctional facilities on real property which was not owned by the Commonwealth on January 1, 1995, until the governing body of the county, city or town wherein the project is to be located has adopted a resolution supporting the location of such project within the boundaries of the affected jurisdiction. The foregoing does not prohibit expenditures for site studies, real estate options, correctional facility design and related expenditures.

v. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly, any alternative financing agreement entered into between a state agency or institution of higher education and a private entity or affiliated foundation must be reviewed and approved by the Treasury Board.

w. Prior to requesting authorization for new dormitory capital projects, institutions of higher education shall conduct a cost study to determine whether an alternative financing arrangement or public-private transaction would provide a more effective option for the construction of the proposed facility. This study shall be submitted to the Department of Planning and Budget as part of the budget development process and shall be evaluated by the Governor prior to submitting his proposed budget.

x. Construction or improvement projects of the Department of Military Affairs are not exempt from the capital outlay review process when the state procurement process is utilized, except for those projects with both an estimated cost of \$3,000,000 or less and are 100 percent federally reimbursed. The Department of Military Affairs shall submit by July 30 of each year to the Department of Planning and Budget a list of such projects that were funded pursuant to this exemption in the previous fiscal year and any projects that would be eligible for such funding in future fiscal years.

#### § 4-4.02 PLANNING AND BUDGETING

a. It shall be the intent of the General Assembly to make biennial appropriations for a capital improvements program sufficient to address the program needs of the Commonwealth. The capital improvements program shall include maintenance and deferred maintenance of the Commonwealth's existing facilities, and of the facility requirements necessary to deliver the programs of state agencies and institutions.

b. In effecting these policies, the Governor shall establish a capital budget plan to address the renewal and replacement of the Commonwealth's physical plant, using such guidelines as recommended by industry or government to maintain the Commonwealth's investment in its property and plant.

#### § 4-5.00 SPECIAL CONDITIONS AND RESTRICTIONS ON EXPENDITURES

##### § 4-5.01 TRANSACTIONS WITH INDIVIDUALS

a. SETTLEMENT OF CLAIMS: Whenever a dispute, claim or controversy involving the interest of the Commonwealth is settled pursuant to § 2.2-514, Code of Virginia, payment may be made out of any appropriations, designated by the Governor, to the state agency(ies) which is (are) party to the settlement.

b. STUDENT FINANCIAL ASSISTANCE FOR HIGHER EDUCATION:

1. General:

a) The appropriations made in this act to state institutions of higher education within the Items for student financial assistance may be expended for any one, all, or any combination of the following purposes: grants to undergraduate students enrolled at least one-half time in a degree, certificate, industry-based certification and related programs that do not qualify for other sources of student financial assistance or diploma program; grants to full-time graduate students; graduate assistantships; grants to students enrolled full-time in a dual or concurrent undergraduate and graduate program. The institutions may also use these appropriations for the purpose of supporting work study programs. The institution is required to transfer to educational and general appropriations all funds used for work study or to pay graduate assistantships. Institutions may also contribute to federal or private student grant aid programs requiring matching funds by the institution, except for programs requiring work. The State Council of Higher Education for Virginia shall annually review each institution's plan for the expenditures of its general fund appropriation for undergraduate student financial assistance prior to the start of the fall term to determine program compliance. The institution's plan shall include the institution's assumptions and calculations for determining the cost of attendance, student financial need, and student remaining need as well as an award schedule or description of how funds are awarded. For the purposes of the proposed plan, each community college shall be considered independently. No limitations shall be placed on the awarding of nongeneral fund appropriations made in this act to state institutions of higher education within the Items for student financial assistance other than those found previously in this paragraph and as follows: (i) funds derived from in-state student tuition will not subsidize out-of-state students, (ii) students receiving these funds must be making satisfactory academic progress, (iii) awards made to students should be based primarily on financial need, and (iv) institutions should make larger grant and scholarship awards to students taking the number of credit hours necessary to complete a degree in a timely manner.

b) All awards made to undergraduate students from such Items shall be for Virginia students only and such awards shall offset all, or portions of, the costs of tuition and required fees, and, in the case of students qualifying under subdivision b 2 c)1) hereof, the cost of books. All undergraduate financial aid award amounts funded by this appropriation shall be proportionate to the remaining need of individual students, with students with higher levels of remaining need receiving grants before other students. No criteria other than the need of the student shall be used to determine the award amount. Because of the low cost of attendance and recognizing that federal grants provide a much higher portion of cost than at other institutions, a modified approach and minimum award amount for the neediest VGAP student should be implemented for community college and Richard Bland College students based on remaining need and the combination of federal and grant state aid. Student financial need shall be determined by a need-analysis system approved by the Council.

c)1) All need-based awards made to graduate students shall be determined by the use of a need-analysis system approved by the Council.

2) As part of the six-year financial plans required in the provisions of Chapters 933 and 945 of the 2005 Acts of Assembly, each institution of higher education shall report the extent to which tuition and fee revenues are used to support graduate student aid and graduate compensation and how the use of these funds impacts planned increases in student tuition and fees.

d) A student who receives a grant under such Items and who, during a semester, withdraws from the institution which made the award must surrender the unearned portion. The institution shall calculate the unearned portion of the award based on the percentage used for federal Return to Title IV program purposes.

e) An award made under such Items to assist a student in attending an institution's summer session shall be prorated according to the size of comparable awards made in that institution's regular session.

f) The provisions of this act under the heading "Student Financial Assistance for Higher Education" shall not apply to (1) the soil scientist scholarships authorized under § 23.1-615, Code of Virginia and (2) need-based financial aid programs for industry-based certification and related programs that do not qualify for other sources of student financial assistance, which will be subject to guidelines developed by the State Council of Higher Education for Virginia.

g) Unless noted elsewhere in this act, general fund awards shall be named "Commonwealth" grants.

h) Unless otherwise provided by statute, undergraduate awards shall not be made to students seeking a second or additional

baccalaureate degree until the financial aid needs of first-degree seeking students are fully met.

2. Grants To Undergraduate Students:

a) Each institution which makes undergraduate grants paid from its appropriation for student financial assistance shall expend such sums as approved for that purpose by the Council.

b) A student receiving an award must be duly admitted and enrolled in a degree, certificate or diploma program at the institution making the award, and shall be making satisfactory academic progress as defined by the institution for the purposes of eligibility under Title IV of the federal Higher Education Act, as amended.

c)1) It is the intent of the General Assembly that students eligible under the Virginia Guaranteed Assistance Program (VGAP) authorized in Title 23.1, Chapter 4.4:2, Code of Virginia, shall receive grants before all other students at the same institution with equivalent remaining need from the appropriations for undergraduate student financial assistance found in Part 1 of this act (service area 1081000 - Scholarships). In each instance, VGAP eligible students shall receive awards greater than other students with equivalent remaining need.

2) The amount of each VGAP grant shall vary according to each student's remaining need and the total of tuition, all required fees and the cost of books at the institution the student will attend upon acceptance for admission. The actual amount of the VGAP award will be determined by the proportionate award schedule adopted by each institution; however, those students with the greatest financial need shall be guaranteed an award at least equal to tuition.

3) It is the intent of the General Assembly that the Virginia Guaranteed Assistance Program serve as an incentive to financially needy students now attending elementary and secondary school in Virginia to raise their expectations and their academic performance and to consider higher education an achievable objective in their futures.

4) Students may not receive a VGAP and a Commonwealth grant in the same semester.

3. Grants To Graduate Students:

a) An individual award may be based on financial need but may, in addition to or instead of, be based on other criteria determined by the institution making the award. The amount of an award shall be determined by the institution making the award; however, the Council shall annually be notified as to the maximum size of a graduate award that is paid from funds in the appropriation.

b) A student receiving a graduate award paid from the appropriation must be duly admitted into a graduate degree program at the institution making the award.

c) Not more than 50 percent of the funds designated by an institution as graduate grants from the appropriation, and approved as such by the Council, shall be awarded to persons not eligible to be classified as Virginia domiciliary resident students except in cases where the persons meet the criteria outlined in § 4-2.01b.6.

4. Matching Funds: Any institution of higher education may, with the approval of the Council, use funds from its appropriation for fellowships and scholarships to provide the institutional contribution to any student financial aid program established by the federal government or private sources which requires the matching of the contribution by institutional funds, except for programs requiring work.

5. Discontinued Loan Program:

a) If any federal student loan program for which the institutional contribution was appropriated by the General Assembly is discontinued, the institutional share of the discontinued loan program shall be repaid to the fund from which the institutional share was derived unless other arrangements for the use of the funds are recommended by the Council and approved by the Department of Planning and Budget. Should the institution be permitted to retain the federal contributions to the program, the funds shall be used according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

b)1) An institution of higher education may discontinue its student loan fund established pursuant to Title 23.1, Chapter 4.01, Code of Virginia. The full amount of cash in such discontinued loan fund shall be paid into the state treasury into a nonrevertible nongeneral fund account. Prior to such payment, the State Comptroller shall verify its accuracy, including the fact that the cash held by the institution in the loan fund will be fully depleted by such payment. The loan fund shall not be reestablished thereafter for that institution.

2) The cash so paid into the state treasury shall be used only for grants to undergraduate and graduate students in the Higher Education Student Financial Assistance program according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

3) Payments on principal and interest of any promissory notes held by the discontinued loan fund shall continue to be received by the institution, which shall deposit such payments in the state treasury to the nonrevertible nongeneral fund account

specified in subdivision (1) preceding, to be used for grants as specified in subdivision (2) preceding.

6. Reporting: The Council shall collect student-specific information for undergraduate students as is necessary for the operation of the Student Financial Assistance Program. The Council shall maintain regulations governing the operation of the Student Financial Assistance Program based on the provisions outlined in this section, the Code of Virginia, and State Council policy.

#### C. PAYMENTS TO CITIZEN MEMBERS OF NONLEGISLATIVE BODIES:

Notwithstanding any other provision of law, executive branch agencies shall not pay compensation to citizen members of boards, commissions, authorities, councils, or other bodies from any fund for the performance of such members' duties in the work of the board, commission, authority, council, or other body.

#### d. VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM

Notwithstanding any other provision of law, the Virginia Birth-Related Neurological Injury Compensation Program is authorized to require each admitted claimant's parent or legal guardian to purchase private health insurance (the "primary payer") to provide coverage for the actual medically necessary and reasonable expenses as described in Virginia Code § 38.2-5009(A)(1) that were, or are, incurred as a result of the admitted claimant's birth-related neurological injury and for the admitted claimant's benefit. Provided, however, that the Program shall reimburse, upon receipt of proof of payment, solely the portion of the premiums that is attributable to the admitted claimant's post-admission coverage from the effective date of this provision forward and paid for by the admitted claimant's parent or legal guardian.

### § 4-5.02 THIRD PARTY TRANSACTIONS

#### a. EMPLOYMENT OF ATTORNEYS:

1.a) All attorneys authorized by this act to be employed by any state agency and all attorneys compensated out of any moneys appropriated in this session of the General Assembly shall be appointed by the Attorney General and be in all respects subject to the provisions of Title 2.2, Chapter 5, Code of Virginia, to the extent not to conflict with Title 12.1, Chapter 4, Code of Virginia; provided, however, that if the Governor certifies the need for independent legal counsel for any Executive Department agency, such agency shall be free to act independently of the Office of the Attorney General in regard to selection, and provided, further, that compensation of such independent legal counsel shall be paid from the moneys appropriated to such Executive Department agency or from the moneys appropriated to the Office of the Attorney General.

b) For purposes of this act, "attorney" shall be defined as an employee or contractor who represents an agency before a court, board or agency of the Commonwealth of Virginia or political subdivision thereof. This term shall not include members of the bar employed by an agency who perform in a capacity that does not require a license to practice law, including but not limited to, instructing, managing, supervising or performing normal or customary duties of that agency.

2. This section does not apply to attorneys employed by state agencies in the Legislative Department, Judicial Department or Independent Agencies.

3. Reporting on employment of attorneys shall be in accordance with § 4-8.00, Reporting Requirements.

4. Notwithstanding § 2.2-510.1 of the Code of Virginia and any other conflicting provision of law, the Virginia Retirement System may enter into agreements to seek i) recovery of investment losses in foreign jurisdictions, and ii) legal advice related to its investments. Any such agreements shall be reported to the Office of the Attorney General as soon as practicable.

b. STUDIES AND CONSULTATIVE SERVICES REQUIRED BY GENERAL ASSEMBLY: No expenditure for payments on third party nongovernmental contracts for studies or consultative services shall be made out of any appropriation to the General Assembly or to any study group created by the General Assembly, nor shall any such expenditure for third party nongovernmental contracts be made by any Executive Department agency in response to a legislative request for a study, without the prior approval of two of the following persons: the Chairman of the House Appropriations Committee; the Chairman of the Senate Finance and Appropriations Committee; the Speaker of the House of Delegates; the President pro tempore of the Senate. All such expenditures shall be made only in accordance with the terms of a written contract approved as to form by the Attorney General.

c. USE OF CONSULTING SERVICES: All state agencies and institutions of higher education shall make a determination of "return on investment" as part of the criteria for awarding contracts for consulting services.

#### d. DEBT COLLECTION SERVICES:

1. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Virginia Commonwealth University Health System Authority shall have the option to participate in the Office of the Attorney General's debt collection process. Should the Authority choose not to participate, the Authority shall have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and discharge accounts receivable claims.

2. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the University of Virginia Medical Center shall

have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and discharge accounts receivable claims, provided that the University of Virginia demonstrates to the Secretary of Finance that debt collection by an agent other than the Office of the Attorney General is anticipated to be more cost effective. Nothing in this paragraph is intended to limit the ability of the University of Virginia Medical Center from voluntarily contracting with the Office of the Attorney General's Division of Debt Collection in cases where the Center would benefit from the expertise of legal counsel and collection services offered by the Office of the Attorney General.

3. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Department of Taxation shall be exempt from participating in the debt collection process of the Office of the Attorney General.

#### § 4-5.03 SERVICES AND CLIENTS

##### a. CHANGED COST FACTORS:

1.a) No state agency, or its governing body, shall alter factors (e.g., qualification level for receipt of payment or service) which may increase the number of eligible recipients for its authorized services or payments, or alter factors which may increase the unit cost of benefit payments within its authorized services, unless the General Assembly has made an appropriation for the cost of such change.

b) The limits on altering or changing cost factors stated in paragraph 1.a) above shall not apply to changes associated with implementing and/or altering services in response to COVID-19 when funding is provided from a nongeneral fund source dedicated to addressing the impact of COVID-19 or from any source when specifically approved by the Governor in response to the COVID-19 pandemic.

2. Notwithstanding any other provision of law, the Department of Planning and Budget, with assistance from agencies that operate internal service funds as requested, shall establish policies and procedures for annually reviewing and approving internal service fund overhead surcharge rates and working capital reserves.

3. By September 1 each year, state agencies that operate an internal service fund, pursuant to §§ 2.2-803, 2.2-1101, and 2.2-2013, Code of Virginia, that have an impact on agency expenditures, shall submit a report to the Department of Planning and Budget to include all information as required by the Department of Planning and Budget to conduct a thorough review of overhead surcharge rates, revenues, expenditures, full-time positions, and working capital reserves for each internal service fund. The report shall include any proposed modifications in rates to be charged by internal service funds for review and approval by the Department of Planning and Budget. In its review, the Department of Planning and Budget shall determine whether the requested rate modifications are consistent with budget assumptions. The format by which agencies submit the operating plan for each internal service fund shall be determined by the Department of Planning and Budget with assistance from agencies that operate internal service funds as requested.

4. State agencies that operate internal service funds may not change a billable overhead surcharge rate to another state agency unless the resulting change is provided in the final General Assembly enacted budget.

5. State agencies that operate more than one internal service fund shall comply with the review and approval requirements detailed in this Item for each internal service fund.

6. As determined by the Director, Department of Planning and Budget, state agencies that operate select programs where an agency provides a service to and bills other agencies shall be subject to the annual review of the agency's internal service funds consistent with the provisions of this Item, unless such payment for services is pursuant to a memorandum of understanding authorized by § 4-1.03 a. 7 of this act.

7. The Governor is authorized to change internal service fund overhead surcharge rates, including the creation of new rates, beyond the rates enacted in the budget in the event of an emergency or to implement actions approved by the General Assembly, upon prior notice to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Such prior notice shall be no less than five days prior to enactment of a revised or new rate and shall include the basis of the rate change and the impact on state agencies.

8. Notwithstanding any other provision of law, the Commonwealth's statewide electronic procurement system and program known as eVA shall have all rates and working capital reserves reviewed and approved by the Department of Planning and Budget consistent with the provisions of this Item.

9. State agencies that are partially or fully funded with nongeneral funds and are billed for services provided by another state agency shall pay the nongeneral fund cost for the service from the agency's applicable nongeneral fund revenue source consistent with an appropriation proration of such expenses.

##### b. NEW SERVICES:

1.a) No state agency shall begin any new service that will call for future additional property, plant or equipment or that will

require an increase in subsequent general or nongeneral fund operating expenses without first obtaining the authorization of the General Assembly.

b) The limits on establishing new services stated in paragraph 1.a) above shall not apply to new services established to respond to COVID-19 when funding is provided from a nongeneral fund source dedicated to addressing the impact of COVID-19 or from any source when specifically approved by the Governor in response to the COVID-19 pandemic.

2. Pursuant to the policies and procedures of the State Council of Higher Education regarding approval of academic programs and the concomitant enrollment, no state institution of higher education shall operate any academic program with funds in this act unless approved by the Council and included in the Executive Budget, or approved by the General Assembly. The Council may grant exemptions to this policy in exceptional circumstances.

3. a) The General Assembly is supportive of the increasing commitment by both Virginia Tech and the Carilion Clinic to the success of the programs at the Virginia Tech/Carilion School of Medicine and the Virginia Tech/Carilion Research Institute, and encourages these two institutions to pursue further developments in their partnership. Therefore, notwithstanding § 4-5.03 c. of the Appropriation Act, if through the efforts of these institutions to further strengthen the partnership, Virginia Tech acquires the Virginia Tech Carilion School of Medicine during the current biennium, the General Assembly approves the creation and establishment of the Virginia Tech/Carilion School of Medicine within the institution notwithstanding § 23.1-203 Code of Virginia. No additional funds are required to implement establishment of the Virginia Tech/Carilion School of Medicine within the institution.

b) Virginia Tech Carilion School of Medicine is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to the teaching hospital affiliated with the Virginia Tech Carilion School of Medicine. These Medicaid supplemental fee-for-service and/or capitation payments to managed care organizations are for the purpose of securing access to Medicaid hospital services in Western Virginia. The funds to be transferred must comply with 42 CFR 433.51.

4. Reporting on all new services shall be in accordance with § 4-8.00, Reporting Requirements.

c. OFF-CAMPUS SITES OF INSTITUTIONS OF HIGHER EDUCATION:

No moneys appropriated by this act shall be used for off-campus sites unless as provided for in this section.

1. A public college or university seeking to create, establish, or operate an off-campus instructional site, funded directly or indirectly from the general fund or with revenue from tuition and mandatory educational and general fees generated from credit course offerings, shall first refer the matter to the State Council of Higher Education for Virginia for its consideration and approval. The State Council of Higher Education for Virginia may provide institutions with conditional approval to operate the site for up to one year, after which time the college or university must receive approval from the Governor and General Assembly, through legislation or appropriation, to continue operating the site.

2. For the colleges of the Virginia Community College System, the State Board for Community Colleges shall be responsible for approving off-campus locations. Sites governed by this requirement are those at any locations not contiguous to the main campus of the institution, including locations outside Virginia.

3. a) The provisions herein shall not apply to credit offerings on the site of a public or private entity if the offerings are supported entirely with private, local, or federal funds or revenue from tuition and mandatory educational and general fees generated entirely by course offerings at the site.

b) Offerings at previously approved off-campus locations shall also not be subject to these provisions.

c) Further, the provisions herein do not govern the establishment and operations of campus sites with a primary function of carrying out grant and contract research where direct and indirect costs from such research are covered through external funding sources. Such locations may offer limited graduate education as appropriate to support the research mission of the site.

d) Nothing herein shall prohibit an institution from offering non-credit continuing education programs at sites away from the main campus of a college or university.

4. The State Council of Higher Education shall establish guidelines to implement this provision.

d. PERFORMANCE MEASUREMENT

1. In accordance with § 2.2-1501, Code of Virginia, the Department of Planning and Budget shall develop a programmatic budget and accounting structure for all new programs and activities to ensure that it provides the appropriate financial and performance measures to determine if programs achieve desired results and outcomes. The Department of Accounts shall provide assistance as requested by the Department of Planning and Budget. The Department of Planning and Budget shall provide this information each year when the Governor submits the budget in accordance with § 2.2-1509, Code of Virginia, to the Chairmen of the House Appropriations, House Finance, and Senate Finance and Appropriations Committees.

2.a) Within thirty days of the enactment of this act, the Director, Department of Planning and Budget, shall make available via



electronic means to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the public a list of the new initiatives for which appropriations are provided in this act.

b) Not later than ninety days after the end of the first year of the biennium, the Director, Department of Planning and Budget, shall make available via electronic means a report on the performance of each new initiative contained in the list, to be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the public. The report shall compare the actual results, including expenditures, of the initiative with the anticipated results and the appropriation for the initiative. This information shall be used to determine whether the initiative should be extended beyond the beginning period. In the preparation of this report, all state agencies shall provide assistance as requested by the Department of Planning and Budget.

#### § 4-5.04 GOODS AND SERVICES

##### a. STUDENT ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION:

1. Public Information Encouraged: Each public institution of higher education is expected and encouraged to provide prospective students with accurate and objective information about its programs and services. The institution may use public funds under the control of the institution's Board of Visitors for the development, preparation and dissemination of factual information about the following subjects: academic programs; special programs for minorities; dates, times and procedures for registration; dates and times of course offerings; admission requirements; financial aid; tuition and fee schedules; and other information normally distributed through the college catalog. This information may be presented in any and all media, such as newspapers, magazines, television or radio where the information may be in the form of news, public service announcements or advertisements. Other forms of acceptable presentation would include brochures, pamphlets, posters, notices, bulletins, official catalogs, flyers available at public places and formal or informal meetings with prospective students.

2. Excessive Promotion Prohibited: Each public institution of higher education is prohibited from using public funds under the control of the institution's Board of Visitors for the development, preparation, dissemination or presentation of any material intended or designed to induce students to attend by exaggerating or extolling the institution's virtues, faculty, students, facilities or programs through the use of hyperbole. Artwork and photographs which exaggerate or extol rather than supplement or complement permissible information are prohibited. Mass mailings are generally prohibited; however, either mass mailings or newspaper inserts, but not both, may be used if other methods of distributing permissible information are not economically feasible in the institution's local service area.

3. Remedial Education: Senior institutions of higher education shall make arrangements with community colleges for the remediation of students accepted for admission by the senior institutions.

4. Compliance: The president or chancellor of each institution of higher education is responsible for the institution's compliance with this subsection.

##### b. INFORMATION TECHNOLOGY FACILITIES AND SERVICES:

1.a) The Virginia Information Technologies Agency shall procure information technology and telecommunications goods and services of every description for its own benefit or on behalf of other state executive branch agencies and institutions, or authorize other state executive branch agencies or institutions to undertake such procurements on their own. "Executive branch agency" means the same as that term is defined in § 2.2-2006.

b) Except for research projects, research initiatives, or instructional programs at public institutions of higher education, or any non-major information technology project request from the Virginia Community College System, Longwood University, or from an institution of higher education which is a member of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) as of July 1, 2003, or any procurement of information technology and telecommunications goods and services by public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, requests for authorization from state agencies and institutions to procure information technology and telecommunications goods and services on their own behalf shall be made in writing to the Chief Information Officer or his designee. Members of VASCUPP as of July 1, 2003, are hereby recognized as: The College of William and Mary, George Mason University, James Madison University, Old Dominion University, Radford University, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State University, and the University of Virginia.

c) The Chief Information Officer or his designee may grant the authorization upon a written determination that the request conforms to the statewide information technology plan and the individual information technology plan of the requesting agency or institution.

d) Any procurement authorized by the Chief Information Officer or his designee for information technology and telecommunications goods and services, including geographic information systems, shall be issued by the requesting state agency or institution in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia

Information Technologies Agency.

e) Nothing in this subsection shall prevent public institutions of higher education or the Virginia Community College System from using the services of Network Virginia.

f) To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical research network infrastructure including the National LambdaRail and Internet2, the Network Virginia Contract Administrator is hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as required, to establish and maintain research network infrastructure.

2. If the billing rates and associated systems for computer, telecommunications and systems development services to state agencies are altered, the Director, Department of Planning and Budget, may transfer appropriations from the general fund between programs affected. These transfers are limited to actions needed to adjust for overfunding or underfunding the program appropriations affected by the altered billing systems.

3. The provisions of this subsection shall not in any way affect the duties and responsibilities of the State Comptroller under the provisions of § 2.2-803, Code of Virginia.

4. It is the intent of the General Assembly that information technology (IT) systems, products, data, and service costs, including geographic information systems (GIS), be contained through the shared use of existing or planned equipment, data, or services which may be available or soon made available for use by state agencies, institutions, authorities, and other public bodies. State agencies, institutions, and authorities shall cooperate with the Virginia Information Technologies Agency in identifying the development and operational requirements for proposed IT and GIS systems, products, data, and services, including the proposed use, functionality, capacity and the total cost of acquisition, operation and maintenance.

5. This section shall not apply to public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, or to the Virginia Alcoholic Beverage Control Authority.

6. Notwithstanding any other provision of law, state agencies that do not receive computer services from the Virginia Information Technologies Agency may develop their own policies and procedures governing the sale of surplus computers and laptops to their employees or officials. Any proceeds from the sale of surplus computers or laptops shall be deposited into the appropriate fund or funds used to purchase the equipment.

**c. MOTOR VEHICLES AND AIRCRAFT:**

1. No motor vehicles shall be purchased or leased with public funds by the state or any officer or employee on behalf of the state without the prior written approval of the Director, Department of General Services.

2. The institutions of higher education and the Alcoholic Beverage Control Authority shall be exempt from this provision but shall be required to report their entire inventory of purchased and leased vehicles including the cost of such to the Director of the Department of General Services by June 30 of each year. The Director of the Department of General Services shall compare the cost of vehicles acquired by institutions of higher education and the Authority to like vehicles under the state contract. If the comparison demonstrates for a given institution or the Authority that the cost to the Commonwealth is greater for like vehicles than would be the case based on a contract of statewide applicability, the Governor or his designee may suspend the exemption granted to the institution or the Authority pursuant to this subparagraph c.

3. The Director, Department of General Services, is hereby authorized to transfer surplus motor vehicles among the state agencies, and determine the value of such surplus equipment for the purpose of maintaining the financial accounts of the state agencies affected by such transfers.

**d. MOTION PICTURE, TELEVISION AND RADIO SERVICES PRODUCTION:** Except for public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, no state Executive Department agency or the Virginia Lottery Department shall expend any public funds for the production of motion picture films or of programs for television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of the Governor or as otherwise provided in this act, except for educational television programs produced for elementary-secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on Rules is authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent agencies, other than the Virginia Lottery Department, prior approval action rests with the supervisory bodies of these entities. With respect to television programs which are so approved and other programs which are otherwise authorized or are not produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive negotiation, for program production and transmission services which are performed by public telecommunications entities, as defined in § 2.2-2006, Code of Virginia.

**e. TRAVEL:** Reimbursement for the cost of travel on official business of the state government is authorized to be paid pursuant to law and regulations issued by the State Comptroller to implement such law. Notwithstanding any contrary provisions of law:

1. For the use of personal automobiles in the discharge of official duties outside the continental limits of the United States, the State Comptroller may authorize an allowance not exceeding the actual cost of operation of such automobiles;
  2. The first 15,000 miles of use during each fiscal year of personal automobiles in the discharge of official duties within the continental limits of the United States shall be reimbursed at an amount equal to the most recent business standard mileage rate as established by the Internal Revenue Service for employees or self-employed individuals to use in computing their income tax deductible costs for operating passenger vehicles owned or leased by them for business purposes, or in the instance of a state employee, at the lesser of (a) the IRS rate or (b) the lowest combined capital and operational trip pool rate charged by the Department of General Services, Office of Fleet Management Services (OFMS), posted on the OFMS website at time of travel, for the use of a compact state-owned vehicle. If the head of the state agency concerned certifies that a state-owned vehicle was not available, or if, according to regulations issued by the State Comptroller, the use of a personal automobile in lieu of a state-owned automobile is considered to be an advantage to the state, the reimbursement shall be at the rate of the IRS rate. For such use in excess of 15,000 miles in each fiscal year, the reimbursement shall be at a rate of 13.0 cents per mile, unless a state-owned vehicle is not available; then the rate shall be the IRS rate;
  3. The State Comptroller may authorize exemptions to restrictions upon use of common carrier accommodations;
  4. The State Comptroller may authorize reimbursement by per diem in lieu of actual costs of meals and any other expense category deemed necessary for the efficient and effective operation of state government;
  5. State employees traveling on official business of state government shall be reimbursed for their travel costs using the same bank account authorized by the employee in which their net pay is direct deposited; and
  6. This section shall not apply to members and employees of public school boards.
- f. **SMALL PURCHASE CHARGE CARD, ELECTRONIC DATA INTERCHANGE, DIRECT DEPOSIT, AND PAYLINE OPT OUT:** The State Comptroller is hereby authorized to charge state agencies a fee of \$5 per check or earnings notice when, in his judgment, agencies have failed to comply with the Commonwealth's electronic commerce initiatives to reduce unnecessary administrative costs for the printing and mailing of state checks and earning notices. The fee shall be collected by the Department of Accounts through accounting entries.
- g. **PURCHASES OF APPLIANCES AND EQUIPMENT:** State agencies and institutions shall purchase Energy Star rated appliances and equipment in all cases where such appliances and equipment are available.
- h. **ELECTRONIC PAYMENTS:** Any recipient of payments from the State Treasury who receives six or more payments per year issued by the State Treasurer shall receive such payments electronically. The State Treasurer shall decide the appropriate method of electronic payment and, through his warrant issuance authority, the State Comptroller shall enforce the provisions of this section. The State Comptroller is authorized to grant administrative relief to this requirement when circumstances justify non-electronic payment.
- i. **LOCAL AND NON-STATE SAVINGS AND EFFICIENCIES:** It is the intent of the General Assembly that State agencies shall encourage and assist local governments, school divisions, and other non-state governmental entities in their efforts to achieve cost savings and efficiencies in the provision of mandated functions and services including but not limited to finance, procurement, social services programs, and facilities management.
- j. **TELECOMMUNICATION SERVICES AND DEVICES:**
1. The Chief Information Officer and the State Comptroller shall develop statewide requirements for the use of cellular telephones and other telecommunication devices by in-scope Executive Department agencies, addressing the assignment, evaluation of need, safeguarding, monitoring, and usage of these telecommunication devices. The requirements shall include an acceptable use agreement template clearly defining an employee's responsibility when they receive and use a telecommunication device. Statewide requirements shall require some form of identification on a device in case it is lost or stolen and procedures to wipe the device clean of all sensitive information when it is no longer in use.
  2. In-scope Executive Department agencies providing employees with telecommunication devices shall develop agency-specific policies, incorporating the guidance provided in § 4-5.04 k. 1. of this act and shall maintain a cost justification for the assignment or a public health, welfare and safety need.
  3. The Chief Information Officer shall determine the optimal number of telecommunication vendors and plans necessary to meet the needs of in-scope Executive Department agency personnel. The Chief Information Officer shall regularly procure these services and provide statewide contracts for use by all such agencies. These contracts shall require the vendors to provide detailed usage information in a useable electronic format to enable the in-scope agencies to properly monitor usage to make informed purchasing decisions and minimize costs.
  4. The Chief Information Officer shall examine the feasibility of providing tools for in-scope Executive Department agencies to analyze usage and cost data to assist in determining the most cost effective plan combinations for the entity as a whole and

individual users.

k. **ALTERNATIVE PROCUREMENT:** If any payment is declared unconstitutional for any reason or if the Attorney General finds in a formal, written, legal opinion that a payment is unconstitutional, in circumstances where a good or service can constitutionally be the subject of a purchase, the administering agency of such payment is authorized to use the affected appropriation to procure, by means of the Commonwealth's Procurement Act, goods and services, which are similar to those sought by such payment in order to accomplish the original legislative intent.

l. **MEDICAL SERVICES:** No expenditures from general or nongeneral fund sources may be made out of any appropriation by the General Assembly for providing abortion services, except otherwise as required by federal law or state statute.

m. In an effort to expand cooperative procurement efforts, all public institutions of higher education in the Commonwealth of Virginia may access the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) contracts regardless of their level of purchasing delegated authority, non-VASCUPP institutions shall amend terms and conditions of VASCUPP contracts to incorporate Virginia Public Procurement Act, and Commonwealth of Virginia Agency Procurement and Surplus Property Manual.

#### § 4-5.05 NONSTATE AGENCIES, INTERSTATE COMPACTS AND ORGANIZATIONAL MEMBERSHIPS

a. The accounts of any agency, however titled, which receives funds from this or any other appropriating act, and is not owned or controlled by the Commonwealth of Virginia, shall be subject to audit or shall present an audit acceptable to the Auditor of Public Accounts when so directed by the Governor or the Joint Legislative Audit and Review Commission.

b.1. For purposes of this subsection, the definition of "nonstate agency" is that contained in § 2.2-1505, Code of Virginia.

2. Allotment of appropriations to nonstate agencies shall be subject to the following criteria:

a) Such agency is located in and operates in Virginia.

b) The agency must be open to the public or otherwise engaged in activity of public interest, with expenditures having actually been incurred for its operation.

3. No allotment of appropriations shall be made to a nonstate agency until such agency has certified to the Secretary of Finance that cash or in-kind contributions are on hand and available to match equally all or any part of an appropriation which may be provided by the General Assembly, unless the organization is specifically exempted from this requirement by language in this act. Such matching funds shall not have been previously used to meet the match requirement in any prior appropriation act.

4. Operating appropriations for nonstate agencies equal to or in excess of \$150,000 shall be disbursed to nonstate agencies in twelve or fewer equal monthly installments depending on when the first payment is made within the fiscal year. Operating appropriations for nonstate agencies of less than \$150,000 shall be disbursed in one payment once the nonstate agency has successfully met applicable match and application requirements.

5. The provisions of § 2.2-4343 A 14, Code of Virginia shall apply to any expenditure of state appropriations by a nonstate agency.

c.1. Each interstate compact commission and each organization in which the Commonwealth of Virginia or a state agency thereof holds membership, and the dues for which are provided in this act or any other appropriating act, shall submit its biennial budget request to the state agency under which such commission or organization is listed in this act. The state agency shall include the request of such commission or organization within its own request, but identified separately. Requests by the commission or organization for disbursements from appropriations shall be submitted to the designated state agency.

2. Each state agency shall submit by November 1 each year, a report to the Director, Department of Planning and Budget, listing the name and purpose for organizational memberships held by that agency with annual dues of \$5,000 or more. The institutions of higher education shall be exempt from this reporting requirement.

#### § 4-5.06 DELEGATION OF AUTHORITY

a. The designation in this act of an officer or agency head to perform a specified duty shall not be deemed to supersede the authority of the Governor to delegate powers under the provisions of § 2.2-104, Code of Virginia.

b. The nongeneral fund capital outlay decentralization programs initiated pursuant to § 4-5.08b of Chapter 912, 1996 Acts of Assembly as continued in subsequent appropriation acts are hereby made permanent. Decentralization programs for which institutions have executed memoranda of understanding with the Secretary of Administration pursuant to the provisions of § 4-5.08b of Chapter 912, 1996 Acts of Assembly shall no longer be considered pilot projects, and shall remain in effect until revoked.

c. Institutions wishing to participate in a nongeneral fund capital outlay decentralization program for the first time shall submit a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if appropriate, establish a decentralization program at the institution. The Cabinet Secretary shall report to the Governor and Chairmen of the Senate Finance

and Appropriations and House Appropriations Committees by December 1 of each year all institutions that have applied for inclusion in a decentralization program and whether the institutions have been granted authority to participate in the decentralization program.

d. The provisions identified in § 4-5.08 f and § 4-5.08 h of Chapter 1042 of the Acts of Assembly of 2003 pertaining to pilot programs for selected capital outlay projects and memoranda of understanding in institutions of higher education are hereby continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability program.

e. If during an independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this information to the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees.

f. Institutions that have executed memoranda of understanding with the Secretary of Administration for nongeneral fund capital outlay decentralization programs are hereby granted a waiver from the provisions of § 2.2-4301, Competitive Negotiation, subdivision 3a, Code of Virginia, regarding the not to exceed amount of \$100,000 for a single project, the not to exceed sum of \$500,000 for all projects performed, and the option to renew for two additional one-year terms.

g. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

h. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly.

#### § 4-5.07 LEASE, LICENSE OR USE AGREEMENTS

a. Agencies shall not acquire or occupy real property through lease, license or use agreement until the agency certifies to the Director, Department of General Services, that (i) funds are available within the agency's appropriations made by this act for the cost of the lease, license or use agreement and (ii) except for good cause as determined by the Department of General Services, the volume of such space conforms with the space planning procedures for leased facilities developed by the Department of General Services and approved by the Governor. The Department of General Services shall acquire and hold such space for use by state departments, agencies and institutions within the Executive Branch and may utilize brokerage services, portfolio management strategies, strategic planning, transaction management, project and construction management, and lease administration strategies consistent with industry best practices as adopted by the Department from time to time. These provisions may be waived in writing by the Director, Department of General Services. However, these provisions shall not apply to institutions of higher education that have met the conditions prescribed in subsection B of § 23.1-1006, Code of Virginia.

b. Agencies acquiring personal property in accordance with § 2.2-2417, Code of Virginia, shall certify to the State Treasurer that funds are available within the agency's appropriations made by this act for the cost of the lease.

c. The Governor is authorized to enter into a Memorandum of Understanding with the United States Department of Agriculture, United States Forest Service ("USFS"), in a form approved by the Office of the Attorney General, regarding a template for use by any agency of the Commonwealth of Virginia (the "Commonwealth") of USFS land by lease, license, or permit. The template may allocate liability, including indemnification, for the use of USFS land between the USFS and the Commonwealth, which liability shall be secured by, and at the discretion of, the Division of Risk Management, Department of the Treasury, pursuant to the provisions of Virginia Code §2.2-1837(A)(2), through either 1) the Virginia Risk Management Liability Plan ("the Plan"), or 2) a separate insurance policy procured by the Division of Risk Management, the cost of which shall be charged to the agencies using USFS lands.

#### § 4-5.08 SEMICONDUCTOR MANUFACTURING PERFORMANCE GRANT PROGRAMS

a. The Comptroller shall not draw any warrants to issue checks for semiconductor manufacturing performance grant programs, pursuant to Title 59.1, Chapter 22.3, Code of Virginia, without a specific legislative appropriation. The appropriation shall be in accordance with the terms and conditions set forth in a memorandum of understanding between a qualified manufacturer and the Commonwealth. These terms and conditions shall supplement the provisions of the Semiconductor Manufacturing Performance Grant Program, the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program, and the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program II, as applicable, and shall include but not be limited to the numbers and types of semiconductor wafers that are produced; the level of investment directly related to the building and equipment for manufacturing of wafers or activities ancillary to or supportive of such manufacturer within the eligible locality; and the direct employment related to these programs. To that end, the Secretary of Commerce and Trade shall certify in writing to the Governor and to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees the extent to which a qualified manufacturer met the terms and conditions. The appropriation shall be made in full or in proportion to a qualified manufacturer's fulfillment of the memorandum of understanding.

b. The Governor shall consult with the House Appropriations and Senate Finance and Appropriations Committees before amending any existing memorandum of understanding. These Committees shall have the opportunity to review any changes prior to their execution by the Commonwealth.

#### § 4-5.09 DISPOSITION OF SURPLUS REAL PROPERTY

a. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the departments, divisions, institutions, or agencies of the Commonwealth, or the Governor, shall sell or lease surplus real property only under the following circumstances:

1. Any emergency declared in accordance with §§ 44-146.18:2 or § 44-146.28, Code of Virginia, or
2. Not less than thirty days after the Governor notifies, in writing, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees regarding the planned conveyance, including a statement of the proceeds to be derived from such conveyance and the individual or entity taking title to such property.
3. Surplus property valued at less than \$5,000,000 that is possessed and controlled by a public institution of higher education, pursuant to §§ 2.2-1149 and 2.2-1153, Code of Virginia.

b. In any circumstance provided for in subsection a of this section, the cognizant board or governing body of the agency or institution holding title or otherwise controlling the state-owned property shall approve, in writing, the proposed conveyance of the property.

c. In accordance with § 15.2-2005, Code of Virginia, the consent of the General Assembly is herein provided for the road known as Standpipe Road, that was relocated and established on a portion of the Virginia Department of Transportation's Culpeper District Office property, identified as Tax Map No. 50-28, to improve the operational efficiency of the local road network in the Town of Culpeper. Further, the Virginia Department of Transportation is hereby authorized to convey to the Town of Culpeper, upon such terms and conditions as the Department deems proper and for such considerations the Department may determine, the property on which "Standpipe Road (Relocated)(Variable Width R/W)" on the plat entitled "plat Showing Property and Various Easements for Standpipe Road Relocated, Tax Map 50-28, Town of Culpeper, Culpeper County, Virginia" prepared by ATCS P.L.C and sealed March 14, 2012, together with easements to the Town of Culpeper for electric utility, slopes and drainage as shown on said plat. The conveyance shall be made with the approval of the Governor and in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

d. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, if tax-exempt bonds were issued by the Commonwealth or its related authorities, boards or institutions to finance the acquisition, construction, improvement or equipping of real property, proceeds from the sale or disposition of such property and any improvements may first be applied toward remediation options available under federal law to maintain the tax-exempt status of such bonds.

#### § 4-5.10 SURPLUS PROPERTY TRANSFERS FOR ECONOMIC DEVELOPMENT

a. The Commonwealth shall receive the fair market value of surplus state property which is designated by the Governor for economic development purposes, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, which shall be assessed by more than one independent appraiser certified as a Licensed General Appraiser. Such property shall not be disposed of for less than its fair market value as determined by the assessments.

b. Recognizing the commercial, business and industrial development potential of certain lands declared surplus, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, the Governor shall be authorized to utilize funds available in the Governor's discretion, to meet the requirements of the preceding subsection a. Sale proceeds, together with the money from the Commonwealth's Development Opportunity Fund, shall be deposited as provided in § 2.2-1156 D, Code of Virginia.

c. Within thirty days of closing on the sale of surplus property designated for economic development, the Governor or his designee shall report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees. The report shall include information on the number of acres sold, sales price, amount of proceeds deposited to the general fund and Conservation Resources Fund, and the fair market value of the sold property.

d. Except for subaqueous lands that have been filled prior to January 1, 2006, the Governor shall not sell or convey those subaqueous lands identified by metes and bounds in Chapter 884 of the Acts of the Assembly of 2006.

e. Notwithstanding any provision of law to the contrary, the Commonwealth of Virginia shall begin the process to convey, as is and pursuant to § 2.2-1150, approximately 432 acres of land located within County of York, Virginia, known as Tax Parcel 12-00-00-003 (the Property) to the Eastern Virginia Regional Industrial Facility Authority, or any of its members, subsidiaries or affiliates (hereinafter referred to Authority) for an amount not to exceed \$1,350,000. The Commonwealth of Virginia shall provide to the Authority copies of the two most recent state appraisals for 150-200 acres for the parcel, and in no case shall the transaction price per acre exceed the average of the two most recent state appraisals. The Authority shall have the right to waive the appraisal

requirement. The Authority shall reimburse the Commonwealth of Virginia, at property closing, for the appraisals and other Commonwealth of Virginia costs to prepare and execute the conveyance documents. The conveyance of the Property should occur no later than December 31, 2021, but may occur earlier if requested by the Authority. The Authority and its designees shall have the right to enter the Property and to perform due diligence and design studies and activities prior to the conveyance. The Authority shall have the right to file applications and related documents seeking land, zoning and use entitlements, and the Commonwealth is authorized to execute such documents as may be required for such purposes, but without incurring obligations on the Commonwealth by such execution.

1. The Authority is authorized to convey the property rights for portions of the Property conveyed by the Commonwealth in paragraph e., to one or more operators of one or more utility scale solar facilities, or to lease the property rights to such an operator or operators, for an amount as agreed by the Authority and such operator(s).

2. Any remaining Property at the site shall be subject to a deed restriction created in the Commonwealth of Virginia and Authority property sale described herein to restrict the use of such property by the Authority to any non-residential use, as determined by the Authority.

§ 4-5.11 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

a. 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.

b. All property controlled by the Department of General Services shall require a permit for use by persons, organizations, or groups for events. Such events are eligible for a permit when the use will not interfere with or disrupt a function sponsored by the Commonwealth of Virginia government entity in support of an agency's mission. The Department shall prepare and publish on its website the requirements for the submission, processing, review, and disposition of permit applications for events on property controlled by the Department to ensure the health, safety, and welfare of the public; coordinate multiple uses of the property; preserve the rights of individuals to free expression; and to protect the Commonwealth from financial and property losses.

For the purposes of this subsection, an "event" means the assemblage on property controlled by the Department of ten (10) or more persons for any demonstration, rally, march, performance, picketing, speechmaking, holding of vigils, sit-ins, or other activities that involve the communication or expression of views or ideas having the effect, intent, or propensity to draw a crowd or onlookers. An "event" does not include casual use of the property by visitors or tourists.

All existing regulations for the use of property controlled by the Department shall remain in effect unless amended or rescinded. The Virginia Division of Capitol Police and other law enforcement entities having jurisdiction shall enforce the Department's property use requirements.

§ 4-6.00 POSITIONS AND EMPLOYMENT

§ 4-6.01 EMPLOYEE COMPENSATION

a. The compensation of all kinds and from all sources of each appointee of the Governor and of each officer and employee in the Executive Department who enters the service of the Commonwealth or who is promoted to a vacant position shall be fixed at such rate as shall be approved by the Governor in writing or as is in accordance with rules and regulations established by the Governor. No increase shall be made in such compensation except with the Governor's written approval first obtained or in accordance with the rules and regulations established by the Governor. In all cases where any appointee, officer or employee is employed or promoted to fill a vacancy in a position for which a salary is specified by this act, the Governor may fix the salary of such officer or employee at a lower rate or amount within the respective level than is specified. In those instances where a position is created by an act of the General Assembly but not specified by this act, the Governor may fix the salary of such position in accordance with the provisions of this subsection.

b. Annual salaries of persons appointed to positions by the General Assembly, pursuant to the provisions of §§ 2.2-200 and 2.2-400, Code of Virginia, shall be paid in the amounts shown. However, if an incumbent is reappointed, his or her salary may be as high as his or her prior salary.

July 10, 2022                      June 10, 2023  
to    to  
June 9, 2023                         June 30, 2024

Chief of Staff	\$202,705	\$212,840
Secretary of Administration	\$194,845	\$204,587
Secretary of Agriculture and Forestry	\$199,228	\$209,190
Secretary of Commerce and Trade	\$194,845	\$204,587
Secretary of the Commonwealth	\$199,229	\$209,190
Secretary of Education	\$194,845	\$204,587
Secretary of Finance	\$203,839	\$214,031
Secretary of Health and Human Resources	\$194,845	\$204,587
Secretary of Labor	\$194,845	\$204,587
Secretary of Natural and Historic Resources	\$194,845	\$204,587
Secretary of Public Safety and Homeland Security	\$201,433	\$211,505
Secretary of Transportation	\$194,845	\$204,587
Secretary of Veterans and Defense Affairs	\$199,228	\$209,189

c.1.a) Annual salaries of persons appointed to positions listed in subdivision c 6 hereof shall be paid in the amounts shown for the current biennium, unless changed in accordance with conditions stated in subdivisions c 2 through c 5 hereof.

b) The starting salary of a new appointee shall not exceed the midpoint of the range, except where the midpoint salary is less than a ten percent increase from an appointee's preappointment compensation. In such cases, an appointee's starting salary may be set at a rate which is ten percent higher than the preappointment compensation, provided that the maximum of the range is not exceeded. However, in instances where an appointee's preappointment compensation exceeded the maximum of the respective salary range, then the salary for that appointee may be set at the maximum salary for the respective salary range except if the new hire was employed in a state classified position, then the Governor may exceed the maximum salary for the position and set the salary for the employee at a salary level not to exceed the employee's salary at their prior state position.

c) Nothing in subdivision c 1 shall be interpreted to supersede the provisions of § 4-6.01 e, f, g, h, i, j, k, l, and m of this act.

d) For new appointees to positions listed in § 4-6.01c.6., the Governor is authorized to provide for fringe benefits in addition to those otherwise provided by law, including post retirement health care and other non-salaried benefits provided to similar positions in the public sector.

2.a)1) The Governor may increase or decrease the annual salary for incumbents of positions listed in subdivision c 6 below at a rate of up to 10 percent in any single fiscal year between the minimum and the maximum of the respective salary range in accordance with an assessment of performance and service to the Commonwealth.

2) The governing boards of the independent agencies may increase or decrease the annual salary for incumbents of positions listed in subdivision c.7. below at a rate of up to 10 percent in any fiscal year between the minimum and maximum of the respective salary range, in accordance with an assessment of performance and service to the Commonwealth.

b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are listed in §§ 1-1 through 1-9, and 4-6.01 b, c, and d of this act, based on an annual assessment of performance, in accordance with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over and above the salaries listed in this act, and shall not become part of the base rate of pay.

2) The appointing or governing authority shall report performance bonuses which are granted to executive branch employees to the



Department of Human Resource Management for retention in its records.

3. From the effective date of the Executive Pay Plan set forth in Chapter 601, Acts of Assembly of 1981, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.

4. Notwithstanding § 4-6.01.c.2.b)1) of this Act, the Board of Commissioners of the Virginia Port Authority may supplement the salary of its Executive Director, with the prior approval of the Governor. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Executive Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

5.a. With the written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, the Science Museum of Virginia, the Virginia Museum of Natural History, Gunston Hall, and the Library Board may supplement the salary of the Director of each museum, and the Librarian of Virginia from nonstate funds. In approving a supplement, the Governor should be guided by criteria which provide a reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of other states. The respective Boards shall report approved supplements to the Department of Human Resource Management for retention in its records.

b) The Board of Trustees of the Jamestown-Yorktown Foundation may supplement, using nonstate funds, the salary of the Executive Director of the Foundation. In approving the supplement the Board should be guided by criteria which provides a reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable Foundations in other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

6.a) The following salaries shall be paid for the current biennium in the amounts shown, however, all salary changes shall be subject to subdivisions c 2 through c 5 above.

	<b>July 10, 2022 to June 9, 2023</b>	<b>June 10, 2023 to June 30, 2024</b>
<b>Level I Range</b>	<b>\$190,717 - \$266,213</b>	<b>\$200,253 - \$279,524</b>
<b>Midpoint</b>	<b>\$228,465</b>	<b>\$239,888</b>
Chief Information Officer, Virginia Information Technologies Agency	\$234,150	\$245,858
Commissioner, Department of Motor Vehicles	\$191,086	\$200,640
Commissioner, Department of Social Services	\$266,213	\$279,524
Commissioner, Department of Behavioral Health and Developmental Services	\$266,213	\$279,524
Commonwealth Transportation Commissioner	\$240,906	\$252,951
Director, Department of Corrections	\$213,188	\$223,847
Director, Department of Environmental Quality	\$226,366	\$237,684
Director, Department of Medical Assistance Services	\$229,210	\$240,671

Director, Department of Planning and Budget	\$186,520	\$195,846
State Health Commissioner	\$226,366	\$237,684
State Tax Commissioner	\$190,717	\$200,253
Superintendent of Public Instruction	\$266,213	\$279,524
Superintendent of State Police	\$213,946	\$224,643
	<b>July 10, 2022</b>	<b>June 10, 2023</b>
	<b>to</b>	<b>to</b>
	<b>June 9, 2023</b>	<b>June 30, 2024</b>
<b>Level II Range</b>	<b>\$132,430 - \$208,496</b>	<b>\$139,052 - \$218,921</b>
<b>Midpoint</b>	<b>\$170,463</b>	<b>\$178,986</b>
Commissioner, Department for Aging and Rehabilitative Services	\$180,575	\$189,604
Commissioner, Department of Agriculture and Consumer Services	\$169,006	\$177,456
Commissioner, Department of Veterans Services	\$169,006	\$177,456
Commissioner, Virginia Employment Commission	\$189,000	\$198,450
Executive Director, Department of Wildlife Resources	\$159,217	\$167,178
Commissioner, Marine Resources Commission	\$160,860	\$168,903
Director, Department of Forensic Science	\$194,093	\$203,798
Director, Department of General Services	\$193,685	\$203,369
Director, Department of Human Resource Management	\$183,868	\$193,061
Director, Department of Juvenile Justice	\$169,006	\$177,456
Director, Department of Energy	\$170,011	\$178,512
Director, Department of Rail and Public Transportation	\$176,453	\$185,276
Director, Department of Small Business and Supplier Diversity	\$176,085	\$184,889

Executive Director, Motor Vehicle Dealer Board	\$132,430	\$139,052
Executive Director, Virginia Port Authority	\$163,671	\$171,855
State Comptroller	\$199,896	\$209,891
State Treasurer	\$199,728	\$209,714
Executive Director, Board of Accountancy	\$164,259	\$172,472
Chief Executive Officer, Virginia Alcoholic Beverage Control Authority	\$208,496	\$218,921

**July 10, 2022  
to  
June 9, 2023**

**June 10, 2023  
to  
June 30, 2024**

<b>Level III Range</b>	<b>\$124,965 - \$181,903</b>	<b>\$131,213 - \$190,998</b>
<b>Midpoint</b>	<b>\$153,434</b>	<b>\$161,106</b>
Adjutant General	\$181,903	\$190,998
Chairman, Virginia Parole Board	\$177,899	\$186,794
Vice Chairman, Virginia Parole Board	\$127,464	\$133,837
Member, Virginia Parole Board	\$131,213	\$137,774
Commissioner, Department of Labor and Industry	\$162,750	\$170,888
Coordinator, Department of Emergency Management	\$154,556	\$162,284
Director, Department of Aviation	\$169,923	\$178,419
Director, Department of Conservation and Recreation	\$177,899	\$186,794
Director, Department of Criminal Justice Services	\$159,380	\$167,349
Director, Department of Health Professions	\$156,557	\$164,385
Director, Department of Historic Resources	\$146,550	\$153,878
Director, Department of Housing and Community Development	\$154,556	\$162,284

Director, Department of Professional and Occupational Regulation	\$154,556	\$162,284
Director, The Science Museum of Virginia	\$160,771	\$168,810
Director, Virginia Museum of Fine Arts	\$167,162	\$175,520
Director, Virginia Museum of Natural History	\$137,237	\$144,099
Executive Director, Jamestown-Yorktown Foundation	\$153,580	\$161,259
Executive Secretary, Virginia Racing Commission	\$144,360	\$151,578
Librarian of Virginia	\$177,899	\$186,794
State Forester, Department of Forestry	\$163,441	\$171,613
	<b>July 10, 2022 to June 9, 2023</b>	<b>June 10, 2023 to June 30, 2024</b>
<b>Level IV Range</b>	<b>\$104,871 - \$137,136</b>	<b>\$110,115 - \$143,993</b>
<b>Midpoint</b>	<b>\$121,004</b>	<b>\$127,054</b>
Administrator, Commonwealth's Attorneys' Services Council	\$124,821	\$131,062
Commissioner, Virginia Department for the Blind and Vision Impaired	\$136,500	\$143,325
Executive Director, Frontier Culture Museum of Virginia	\$122,515	\$128,641
Commissioner, Department of Elections	\$121,003	\$127,053
Executive Director, Virginia-Israel Advisory Board	\$111,017	\$116,568
Director, Gunston Hall	\$104,871	\$110,115
	<b>July 10, 2022 to June 9, 2023</b>	<b>June 10, 2023 to June 30, 2024</b>
<b>Level V Range</b>	<b>\$26,639 - \$114,182</b>	<b>\$27,971 - \$119,891</b>
<b>Midpoint</b>	<b>\$70,411</b>	<b>\$73,932</b>
Director, Virginia Department for the Deaf and Hard-of-	\$114,182	\$119,891

Hearing

Executive Director, Department of Fire Programs	\$113,400	\$119,070
Executive Director, Virginia Commission for the Arts	\$111,670	\$117,254
Chairman, Compensation Board	\$26,639	\$27,971

7. Annual salaries of the directors of the independent agencies, as listed in this subdivision, shall be paid in the amounts shown. All salary changes shall be subject to subdivisions c 1, c 2, and c 3 above.

	<b>July 10, 2022 to June 9, 2023</b>	<b>June 10, 2023 to June 30, 2024</b>
<b>Independent Range</b>	<b>\$207,824 - \$212,389</b>	<b>\$218,101 - \$223,008</b>
<b>Midpoint</b>	<b>\$210,053</b>	<b>\$220,556</b>
Executive Director, Virginia Lottery	\$212,389	\$223,008
Director, Virginia Retirement System	\$210,558	\$221,086
Chief Executive Officer, Virginia College Savings Plan	\$207,715	\$218,101

8. Notwithstanding any provision of this Act, the Board of Trustees of the Virginia Retirement System may supplement the salary of its Director. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable public pension plans. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

9. Notwithstanding any provision of this Act, the Board of the Virginia College Savings Plan may supplement the compensation of its Chief Executive Officer. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Chief Executive Officer. The criteria should include, without limitation, a consideration of compensation paid to similar officials in comparable qualified tuition programs, independent public agencies or other entities with similar responsibilities and size. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

10. Notwithstanding any provision of this act, the Board of the Virginia Alcoholic Beverage Control Authority may supplement the salary of its Chief Executive Officer in accordance with § 4.1-101.02. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Chief Executive Officer. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable independent agencies. The Board shall report such criteria and potential supplement level to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its record.

d.1. Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the Chancellor of the University of Virginia's College at Wise, the Superintendent of the Virginia Military Institute, the Director of the State Council of Higher Education, the Director of the Southern Virginia Higher Education Center, the Director of the Southwest Virginia Higher Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be paid in the amounts shown. The annual salaries of the presidents of the community colleges shall be fixed by the State Board

for Community Colleges within a salary structure submitted to the Governor prior to June 1 each year for approval.

2.a) The board of visitors of each institution of higher education or the boards of directors for Southern Virginia Higher Education Center, Southwest Virginia Higher Education Center, and the New College Institute may annually supplement the salary of a president or director from private gifts, endowment funds, foundation funds, or income from endowments and gifts. Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of visitors or board of directors should be guided by criteria which provide a reasonable limit on the total additional income of a president or director. The criteria should include a consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The board of visitors or board of directors shall report approved supplements to the Department of Human Resource Management for retention in its records.

b) The State Board for Community Colleges may annually supplement the salary of the Chancellor from any available appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community Colleges should be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The criteria should include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

c) Norfolk State University is authorized to supplement the salary of its president from educational and general funds up to \$17,000.

d) Should a vacancy occur for the Director of the State Council of Higher Education on or after the date of enactment of this act, the salary for the new director shall be established by the State Council of Higher Education based on the salary range for Level I agency heads. Furthermore, the state council may provide a bonus of up to five percent of the annual salary for the new director.

	<b>July 10, 2022</b> <b>to</b> <b>June , 9 2023</b>	<b>June 10, 2023</b> <b>to</b> <b>June 30, 2024</b>
<b>NEW COLLEGE INSTITUTE</b>		
Executive Director, New College Institute	\$163,536	\$171,713
<b>STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA</b>		
Director, State Council of Higher Education for Virginia	\$231,059	\$242,612
<b>SOUTHERN VIRGINIA HIGHER EDUCATION CENTER</b>		
Director, Southern Virginia Higher Education Center	\$163,536	\$171,713
<b>SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER</b>		
Director, Southwest Virginia Higher Education Center	\$163,536	\$171,713
<b>VIRGINIA COMMUNITY COLLEGE SYSTEM</b>		
Chancellor of Community Colleges	\$209,626	\$220,107
<b>SENIOR COLLEGE PRESIDENTS' SALARIES</b>		
Chancellor, University of Virginia's College at Wise	\$136,489	\$143,313
President, Christopher Newport	\$165,182	\$173,441

University		
President, The College of William and Mary in Virginia	\$190,891	\$200,436
President, George Mason University	\$178,288	\$187,202
President, James Madison University	\$195,355	\$205,123
President, Longwood University	\$178,215	\$187,126
President, Norfolk State University	\$207,833	\$218,225
President, Old Dominion University	\$196,807	\$206,647
President, Radford University	\$184,173	\$193,382
President, Richard Bland College	\$157,251	\$165,114
President, University of Mary Washington	\$171,513	\$180,089
President, University of Virginia	\$212,324	\$222,940
President, Virginia Commonwealth University	\$205,496	\$215,771
President, Virginia Polytechnic Institute and State University	\$224,599	\$235,829
President, Virginia State University	\$173,163	\$181,821
Superintendent, Virginia Military Institute	\$175,344	\$184,111

e. 1. Salaries for newly employed or promoted employees shall be established consistent with the compensation and classification plans established by the Governor.

2. The State Comptroller is hereby authorized to require payment of wages or salaries to state employees by direct deposit or by credit to a prepaid debit card or card account from which the employee is able to withdraw or transfer funds.

f. The provisions of this section, requiring prior written approval of the Governor relative to compensation, shall apply also to any system of incentive award payments which may be adopted and implemented by the Governor. The cost of implementing any such system shall be paid from any funds appropriated to the affected agencies.

g. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of salary schedules to be fixed under law by the Governor payable from the lump sum appropriation.

h. Subject to approval by the Governor of a plan for a statewide employee meritorious service awards program, as provided for in § 2.2-1201, Code of Virginia, the costs for such awards shall be paid from any operating funds appropriated to the affected agencies.

i. The General Assembly hereby affirms and ratifies the Governor's existing authority and the established practice of this body to provide for pay differentials or to supplement base rates of pay for employees in specific job classifications in particular geographic and/or functional areas where, in the Governor's discretion, they are needed for the purpose of maintaining salaries which enable the Commonwealth to maintain a competitive position in the relevant labor market.

j.1. If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c 6 of this act. Further, such institution may provide compensation in addition to that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

2. If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c 6 shall be paid from the Council's appropriation.

k.1.a. Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in the compensation and classification plans approved by the Governor shall be effective beginning with the first pay period, defined as the pay period from June 25 through July 9, of the fiscal year if: (1) the agency certifies to the Secretary of Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a plan for covering the costs next biennium and the Secretary concurs, or (2) such funds are appropriated by the General Assembly. If at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the remainder of the biennium within the agency's appropriation, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in accordance with § 4-8.00, Reporting Requirements.

b. Notwithstanding any other provision of law, state employees will be paid on the first workday of July for the work period June 10 to June 24 in any calendar year in which July 1 falls on a weekend.

2. Salary adjustments for any employee through a promotion, role change, exceptional recruitment and retention incentive options, or in-range adjustment shall occur only if: a) the agency has sufficient funds within its appropriation to cover the cost of the salary adjustment for the remainder of the current biennium or b) such funds are appropriated by the General Assembly.

3. No changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported from the general fund.

l. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are appointed to a state-level board, council, commission or similar collegial body shall not receive any such compensation for their services as members or chairmen except for reimbursement of reasonable and necessary expenses. The foregoing provision shall likewise apply to the Compensation Board, pursuant to § 15.2-1636.5, Code of Virginia.

m.1. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of higher education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early retirement incentive plans for their respective institutions pursuant to § 23.1-1302 B and the cash payment offered under such compensation plans pursuant to § 23.1-1302 D, Code of Virginia. Notwithstanding the limitations in § 23.1-1302 D, the total cost in any fiscal year for any such compensation plan, shall be set forth by the governing body in the compensation plan for approval by the Governor and review for legal sufficiency by the Office of the Attorney General.

2. Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall be considered for medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time, 12-month classified positions.

n. Notwithstanding the Department of Human Resource Management Policies and Procedures, payment to employees with five or more years of continuous service who either terminate or retire from service shall be paid in one sum for twenty-five percent of their sick leave balance, provided, however, that the total amount paid for sick leave shall not exceed \$5,000 and the remaining seventy-five percent of their sick leave shall lapse. This provision shall not apply to employees who are covered by the Virginia Sickness and Disability Program as defined in § 51.1-1100, Code of Virginia. Such employees shall not be paid for their sick leave balances. However, they will be paid, if eligible as described above, for any disability leave credits they have at separation or retirement or may convert disability credits to service credit under the Virginia Retirement System pursuant to § 51.1-1103 (F), Code of Virginia.

o. It is the intent of the General Assembly that calculation of the faculty salary benchmark goal for the Virginia Community College System shall be done in a manner consistent with that used for four-year institutions, taking into consideration the number of faculty at each of the community colleges. In addition, calculation of the salary target shall reflect an eight percent salary differential in a manner consistent with other public four-year institutions and for faculty at Northern Virginia Community College.

p. Any public institution of higher education that has met the eligibility criteria set out in Chapters 933 and 945 of the 2005 Acts of Assembly may supplement annual salaries for classified employees from private gifts, endowment funds, or income from endowments and gifts, subject to policies approved by the board of visitors. The Commonwealth shall have no general fund obligations for the continuation of such salary supplements.

q. The Governor, or any other appropriate Board or Public Body, is authorized to adjust the salaries of employees specified in this



item, and other items in the Act, to reflect the compensation adjustments authorized in this Act.

r. Any public institution of higher education shall not provide general fund monies above \$100,000 for any individual athletic coaching salaries after July 1, 2013. Athletic coaching salaries with general fund monies above this amount shall be phased-down over a five-year period at 20 percent per year until reaching the cap of \$100,000.

#### § 4-6.02 EMPLOYEE TRAINING AND STUDY

Subject to uniform rules and regulations established by the Governor, the head of any state agency may authorize, from any funds appropriated to such department, institution or other agency in this act or subsequently made available for the purpose, compensation or expenses or both compensation and expenses for employees pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in the state service. The rules and regulations shall include reasonable provision for the return of any employee receiving such benefits for a reasonable period of duty, or for reimbursement to the state for expenditures incurred on behalf of the employee should he not return to state service.

#### § 4-6.03 EMPLOYEE BENEFITS

a. Any medical/hospitalization benefit program provided for state employees shall include the following provision: any state employee, as defined in § 2.2-2818, Code of Virginia, shall have the option to accept or reject coverage.

b. Except as provided for sworn personnel of the Department of State Police, no payment of, or reimbursement for, the employer paid contribution to the State Police Officers' Retirement System, or any system offering like benefits, shall be made by the Compensation Board of the Commonwealth at a rate greater than the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System. Any cost for benefits exceeding such general rate shall be borne by the employee or, in the case of a political subdivision, by the employer.

c. Each agency may, within the funds appropriated by this act, implement a transit and ridesharing incentive program for its employees. With such programs, agencies may reimburse employees for all or a portion of the costs incurred from using public transit, car pools, or van pools. The Secretary of Transportation shall develop guidelines for the implementation of such programs and any agency program must be developed in accordance with such guidelines. The guidelines shall be in accordance with the federal National Energy Policy Act of 1992 (P.L. 102-486), and no program shall provide an incentive that exceeds the actual costs incurred by the employee.

d. Any hospital that serves as the primary medical facility for state employees may be allowed to participate in the State Employee Health Insurance Program pursuant to § 2.2-2818, Code of Virginia, provided that (1) such hospital is not a participating provider in the network, contracted by the Department of Human Resource Management, that serves state employees and (2) such hospital enters into a written agreement with the Department of Human Resource Management as to the rates of reimbursement. The department shall accept the lowest rates offered by the hospital from among the rates charged by the hospital to (1) its largest purchaser of care, (2) any state or federal public program, or (3) any special rate developed by the hospital for the state employee health benefits program which is lower than either of the rates above. If the department and the hospital cannot come to an agreement, the department shall reimburse the hospital at the rates contained in its final offer to the hospital until the dispute is resolved. Any dispute shall be resolved through arbitration or through the procedures established by the Administrative Process Act, as the hospital may decide, without impairment of any residual right to judicial review.

e. Any classified employee of the Commonwealth and any person similarly employed in the legislative, judicial and independent agencies who (i) is compensated on a salaried basis and (ii) works at least twenty hours per week shall be considered a full-time employee for the purposes of participation in the Virginia Retirement System's group life insurance and retirement programs. Any part-time magistrate hired prior to July 1, 1999, shall have the option of participating in the programs under this provision.

f.1. Any member of the Virginia Retirement System who is retired under the provisions of § 51.1-155.1, Code of Virginia who: 1) returns to work in a position that is covered by the provisions of § 51.1-155.1, Code of Virginia after a break of not less than four years, 2) receives no other compensation for service to a public employer than that provided for the position covered by § 51.1-155.1, Code of Virginia during such period of reemployment, 3) retires within one year of commencing such period of reemployment, and 4) retires directly from service at the end of such period of reemployment may either:

a) Revert to the previous retirement benefit received under the provisions of § 51.1-155.1, Code of Virginia, including any annual cost of living adjustments granted thereon. This benefit may be adjusted upward to reflect the effect of such additional months of service and compensation received during the period of reemployment, or

b) Retire under the provisions of Title 51.1 in effect at the termination of his or her period of reemployment, including any purchase of service that may be eligible for purchase under the provisions of § 51.1-142.2, Code of Virginia.

2. The Virginia Retirement System shall establish procedures for verification by the employer of eligibility for the benefits provided for in this paragraph.

g. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a member

of the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The provisions of this paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

h. Full-time employees appointed by the Governor who, except for meeting the minimum service requirements, would be eligible for the provisions of § 51.1-155.1, Code of Virginia, may, upon termination of service, use any severance allowance payment to purchase service to meet, but not exceed, the minimum service requirements of § 51.1-155.1, Code of Virginia. Such service purchase shall be at the rate of 15 percent of the employee's final creditable compensation or average final compensation, whichever is greater, and shall be completed within 90 days of separation of service.

i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers' Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed forces of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is higher, when calculating average compensation, and

2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces of the United States in the calculation of creditable service.

j. The provisions in § 51.1-144, Code of Virginia, that require a member to contribute five percent of his creditable compensation for each pay period for which he receives compensation on a salary reduction basis, shall not apply to any (i) "state employee," as defined in § 51.1-124.3, Code of Virginia, who is an elected official, or (ii) member of the Judicial Retirement System under Chapter 3 of Title 51.1 (§ 51.1-300 et seq.), who is not a "person who becomes a member on or after July 1, 2010," as defined in § 51.1-124.3, Code of Virginia.

k. Notwithstanding the provisions of subsection G of § 51.1-156, any employee of a school division who completed a period of 24 months of leave of absence without pay during October 2013 and who had previously submitted an application for disability retirement to VRS in 2011 may submit an application for disability retirement under the provisions of § 51.1-156. Such application shall be received by the Virginia Retirement System no later than October 1, 2014. This provision shall not be construed to grant relief in any case for which a court of competent jurisdiction has already rendered a decision, as contemplated by Article II, Section 14 of the Constitution of Virginia.

#### § 4-6.04 CHARGES

a. **FOOD SERVICES:** Except as exempted by the prior written approval of the Director, Department of Human Resource Management, and the provisions of § 2.2-3605, Code of Virginia, state employees shall be charged for meals served in state facilities. Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and the cost of direct labor and utilities incidental to preparation and service. Each agency shall maintain records as to the calculation of meal charges and revenues collected. Except where appropriations for operation of the food service are from nongeneral funds, all revenues received from such charges shall be paid directly and promptly into the general fund. The provisions of this paragraph shall not apply to on-duty employees assigned to correctional facilities operated by the Departments of Corrections and Juvenile Justice.

#### b. HOUSING SERVICES:

1. Each agency will collect a fee from state employees who occupy state-owned or leased housing, subject to guidelines provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for state-owned or leased housing and for documenting in writing why the rate established was selected. In exceptional circumstances, which shall be documented as being in the best interest of the Commonwealth by the agency requesting an exception, the Director, Department of General Services may waive the requirement for collection of fees.

2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating expenses or rent are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund. For housing for which operating expenses or rent are financed by nongeneral fund appropriations, such revenues shall be deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses or rent are financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid into the general fund.

#### c. PARKING SERVICES:

##### 1. State-owned parking facilities

Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor, for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned. -

2. Leased parking facilities in metropolitan Richmond area

Agencies occupying private sector leased or rental space in the metropolitan Richmond area, not including institutions of higher education, shall be required to charge a fee to employees for vehicle parking spaces that are assigned to them or are otherwise available either incidental to the lease or rental agreement or pursuant to a separate lease agreement for private parking space. In such cases, the individual employee parking fee shall not be less than that paid by employees parking in Department of General Services parking facilities at the Seat of Government. The Director, Department of General Services may amend or waive the fee requirement for good cause. Revenues derived from employees paying for parking spaces in leased facilities will be retained by the leasing agency to be used to offset the cost of the lease to which it pertains. Any lease for private parking space must be approved by the Director, Department of General Services.

3. The assignment of Lot P1A of the Department of General Services, Capitol Area Site Plan, to include parking spaces 1 through 37, but excluding spaces 34 and 36, which shall be reserved for the Department of General Services, and the surrounding surfaces around those spaces shall be under the control of the Committee on Joint Rules and administered by the Clerk of the House and the Clerk of the Senate. Any employee permanently assigned to any of these spaces shall be subject to the provisions of paragraph 1 of this item.

4.a. The assignment of 300 parking spaces in the Department of General Services parking facility to be built at the corner of 9th and Broad Streets in the City of Richmond, shall be under the control of the Committee on Joint Rules and administered by the Clerk of the House and the Clerk of the Senate. Such parking spaces shall be subject to the provisions of paragraph 1 of this item.

b. The remaining parking spaces in the Department of General Services parking facility to be built at the corner of the 9th and Broad Streets in the City of Richmond shall be under the control of and administered by the Department of General Services; however, the Department shall prioritize remaining spaces in the DGS parking system to full-time employees of the Legislative Department with permanent offices in the General Assembly Building who participate in the DGS parking system on an annual basis. Such parking spaces shall be subject to the provisions of paragraph 1 of this item.

§ 4-6.05 SELECTION OF APPLICANTS FOR CLASSIFIED POSITIONS

It is the responsibility of state agency heads to ensure that all provisions outlined in Title 2.2, Chapter 29, Code of Virginia (the Virginia Personnel Act), and executive orders that govern the practice of selecting applicants for classified positions are strictly observed. The Governor's Secretaries shall ensure this provision is faithfully enforced.

§ 4-6.06 POSITIONS GOVERNED BY CHAPTERS 933 AND 943 OF THE 2006 ACTS OF ASSEMBLY

Except as provided in subsection A of § 23.1-1020 of the Code of Virginia, § 4-6.00 shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, with regard to their participating covered employees, as that term is defined in those two chapters, except to the extent a specific appropriation or language in this act addresses such an employee.

**§ 4-7.00 STATEWIDE PLANS**

§ 4-7.01 MANPOWER CONTROL PROGRAM

a.1. The term Position Level is defined as the number of full-time equivalent (FTE) salaried employees assigned to an agency in this act. Except as provided in § 4-7.01 b, the Position Level number stipulated in an agency's appropriation is the upper limit for agency employment which cannot be exceeded during the fiscal year without approval from the Director, Department of Planning and Budget for Executive Department agencies, approval from the Joint Committee on Rules for Legislative Department agencies or approval from the appropriate governing authority for the independent agencies.

2. Any approval granted under this subsection shall be reported in writing to the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee, the Governor and the Directors of the Department of Planning and Budget and Department of Human Resource Management within ten days of such approval. Approvals for executive department agencies shall be based on threats to life, safety, health, or property, or compliance with judicial orders or federal mandates, to support federal grants or private donations, to administer a program for another agency or to address an immediate increase in workload or responsibility or when to delay approval of increased positions would result in a curtailment of services prior to the next legislative session. Any such position level increases pursuant to this provision may not be approved for more than one year.

b. The Position Levels stipulated for the individual agencies within the Department of Behavioral Health and Developmental Services and the Department of Corrections are for reference only and are subject to changes by the applicable Department, provided that such changes do not result in exceeding the Position Level for that department.

c.1. The Governor shall implement such policies and procedures as are necessary to ensure that the number of employees in the Executive Department, excluding institutions of higher education and the State Council of Higher Education, may be further restricted to the number required for efficient operation of those programs approved by the General Assembly. Such policies and procedures shall include periodic review and analysis of the staffing requirements of all Executive Department agencies by the Department of Planning and Budget with the object of eliminating through attrition positions not necessary for the efficient operation of programs.

2. The institutions of higher education and the State Council of Higher Education are hereby authorized to fill all positions authorized in this act. This provision shall be waived only upon the Governor's official declaration that a fiscal emergency exists requiring a change in the official estimate of general fund revenues available for appropriation.

d.1. Position Levels are for reference only and are not binding on agencies in the legislative department, independent agencies, the Executive Offices other than the offices of the Governor's Secretaries, and the judicial department.

2. Positions assigned to programs supported by internal service funds are for reference only and may fluctuate depending upon workload and funding availability.

3. Positions assigned to sponsored programs, auxiliary enterprises, continuing education, and teaching hospitals in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 43012, State Health Services Technical Support and Administration, at Virginia Commonwealth University are for reference only and may fluctuate depending upon workload and funding availability.

4. Positions assigned to educational and general programs in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. However, total general fund positions filled by an institution of higher education may not exceed 105 percent of the general fund positions appropriated without prior approval from the Director, Department of Planning and Budget.

5. Positions assigned to Item Details 47001, Job Placement Services; 47002, Unemployment Insurance Services; 47003, Workforce Development Services; and 53402, Economic Information Services, at the Virginia Employment Commission are for reference only and may fluctuate depending upon workload and funding availability. Unless otherwise required by the funding source, after enactment of this act, any new positions hired using this provision shall not be subject to transitional severance benefit provisions of the Workforce Transition Act of 1995, Title 2.2, Chapter 32, Code of Virginia.

6. Positions assigned to the Virginia Management Fellows Program Administration are for reference only and may fluctuate depending on funding availability.

e. Prior to implementing any Executive Department hiring freeze, the Governor shall consider the needs of the Commonwealth in regards to the safe and efficient operation of state facilities and performance of essential services to include the exemption of certain positions assigned to agencies and institutions that provide services pertaining to public safety and public health from such hiring freezes.

f.1. Full-time, part-time, wage or contractual state employees assigned to the Governor's Cabinet Secretaries from agencies and institutions under their control for the purpose of carrying out temporary assignments or projects may not be so assigned for a period exceeding 180 days in any calendar year. The permanent transfer of positions from an agency or institution to the Offices of the Secretaries, or the temporary assignment of agency or institutional employees to the Offices of the Secretaries for periods exceeding 180 days in any calendar year regardless of the separate or discrete nature of the projects, is prohibited without the prior approval of the General Assembly.

2. Not more than three positions in total, as described in subsection 1 hereof, may be assigned at any time to the Office of any Cabinet Secretary, unless specifically approved in writing by the Governor. The Governor shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees in the case of any such approvals.

g. All state employees, including those in the legislative, judicial, and executive branches and the independent agencies of the Commonwealth, who are not eligible for benefits under a health care plan established and administered by the Department of Human Resource Management (DHRM) pursuant to Va. Code § 2.2-2818, or by an agency administering its own health care plan, may not work more than 29 hours per week on average over a twelve month period. Adjunct faculty at institutions of higher education may not work more than 29 hours per week on average over a twelve month period, including classroom or other instructional time plus additional hours determined by the institution as necessary to perform the adjunct faculty's duties. DHRM shall provide relevant program requirements to agencies and employees, including, but not limited to, information on wage, variable and seasonal employees. All state agencies/employers in all branches of government shall provide information requested by DHRM concerning hours worked by employees as needed to comply with the Affordable Care Act (the "Act") and this provision. State agencies/employers are accountable for compliance with this provision, and are responsible for any costs associated with maintaining compliance with it and for any costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. The provisions of this paragraph shall not apply to employees of state teaching hospitals that have their own health insurance plan; however, the state teaching hospitals are accountable for compliance with, and are responsible for any costs associated with maintaining compliance with the Act and for any costs or

penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. Subject to approval of the Governor, DHRM shall modify this provision consistent with any updates or changes to federal law and regulations.

**§ 4-8.00 REPORTING REQUIREMENTS**

§ 4-8.01 GOVERNOR

a. General:

1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved for public inspection in the Department of Planning and Budget.

2. The Governor shall make available annually to the Chairmen of the Senate Finance and Appropriations, House Finance, and House Appropriations Committees a report concerning the receipt of any nongeneral funds above the amount(s) specifically appropriated, their sources, and the amounts for each agency affected.

3. a) It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be reduced or consolidated where appropriate. State institutions of higher education, working with the Secretary of Education and Workforce, Secretary of Finance, and the Director, Department of Planning and Budget, shall continue to identify specific reporting requirements that the Governor may consider suspending.

b) Reporting generally should be limited to instances where (1) there is a compelling state interest for state agencies to collect, use, and maintain the information collected; (2) substantial risk to the public welfare or safety would result from failing to collect the information; or (3) the information collected is central to an essential state process mandated by the Code of Virginia.

c) Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended or modified as specified below:

Agency	Report Title of Descriptor	Authority	Action
Department of Accounts	Intercollegiate Athletics Receipts & Disbursements	Code of Virginia § 23.1-102.	Suspend reporting.
Department of Accounts	Prompt Pay Summary Report	Agency Directive	Change reporting from monthly to quarterly.
Department of General Services	Usage of State-Assigned and State-Owned Vehicles Report	Agency Directive -- Executive Order 89 (2005)	Suspend reporting.
Department of General Services	Gas Report/Repair Charge	Agency Directive--Executive Order 89 (2005)	Suspend reporting.
Department of Human Resource Management	Report of Personnel Development Service	Agency Directive	Suspend reporting.
Department of Human Resource Management	Human Capital Report (Full-Time, Part-Time, Temporary, Contractual employees funded by the Commonwealth)	Code of Virginia § 2.2-1201. A. 14.	Change reporting from annually to monthly.
Department of Human Resource Management State Employee Workers' Compensation Program	Work-related injuries and illnesses report -- goals, strategies, and results	Agency Directive -- Executive Order 94 (2005)	Suspend reporting.
Governor's Office	Small, Women-and Minority-owned Businesses (SWaM)	Executive Directive	Change reporting from weekly to monthly.
Secretary of Commerce and Trade	Recruitment of National and Regional Conferences Report	Agency Directive -- Executive Order 14 (2006)	Suspend reporting.

d) The Department of Planning and Budget (DPB) and the State Council of Higher Education for Virginia (SCHEV) shall work jointly to attempt to consolidate various reporting requirements pertaining to the estimates and projections of nongeneral fund revenues in institutions of higher education. The purpose of this effort shall be aimed at developing a common form for use in collecting nongeneral fund data for DPB's six-year nongeneral fund revenue estimate submission and SCHEV's annual survey of nongeneral fund revenue from institutions of higher education.

e) For reporting on fiscal year 2023 and beyond, reporting requirements on intercollegiate athletic revenues and expenses, specifically related to the share of athletic revenues from school funds and student fees, as set out in § 23.1-1309, Code of Virginia, fiscal years 2020, 2021, and 2022 shall be excluded from the calculated five-year rolling average of the change in generated revenue and student fees also outlined in § 23.1-1309, Code of Virginia.

4.a) Except for the reports required under Item 479.10 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.

b. Operating Appropriations Reports:

1. Status of Adjustments to Appropriations. Such information must include increases and decreases of appropriations or allotments, transfers and additional revenues. A report of appropriation transfers from one agency to another made pursuant to § 4-1.03 of this act shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the public by the tenth day of the month following that in which such transfer occurs, unless otherwise specified in § 4-1.03.

2. Status of each sum sufficient appropriation. The information must include the amount of expenditures for the period just completed and the revised estimates of expenditures for the remaining period of the current biennium, as well as an explanation of differences between the amount of the actual appropriation and actual and/or projected appropriations for each year of the current biennium.

3. Status of Economic Contingency Appropriation. The information must include actions taken related to the appropriation for economic contingency.

4. Status of Withholding Appropriations. The information must include amounts withheld and the agencies affected.

5. Status of reductions occurring in general and nongeneral fund revenues in relation to appropriations.

6. Status of approvals of deficits.

c. Employment Reports:

1. Status of changes in positions and employment of state agencies affected. The information must include the number of positions and the agencies affected.

2. Status of the employment by the Attorney General of special counsel in certain highway proceedings brought pursuant to Chapter 10 of Title 33.2, Code of Virginia, on behalf of the Commissioner of Highways, as authorized by § 2.2-510, Code of Virginia. This report shall include fees for special counsel for the respective county or city for which the expenditure is made and shall be submitted within 60 days of the close of the fiscal year (see § 4-5.02 a.3).

3. Changes in the level of compensation authorized pursuant to § 4-6.01 k, Employee Compensation. Such report shall include a list of the positions changed, the number of employees affected, the source and amount of funds, and the nature of the emergency.

4. Pursuant to requirements of § 2.2-203.1, Code of Virginia, the Secretary of Administration, in cooperation with the Secretary of Technology, shall provide a report describing the Commonwealth's telecommuting policies, which state agencies and localities have adopted telecommuting policies, the number of state employees who telecommute, the frequency with which state employees telecommute by locality, and the efficacy of telecommuting policies in accomplishing the provision of state services and completing state functions. This report shall be provided to the Chairmen of the House Committee on Appropriations, the House Committee on Science and Technology, the Senate Committee on Finance, and the Senate Committee on General Laws and Technology each year by October 1.

d. Capital Appropriations Reports:

1. Status of progress of capital projects on an annual basis (see § 4-4.01 o).
2. Notice of all capital projects authorized under § 4-4.01 l (see § 4-4.01 l. 1. b 4)).

e. Utilization of State Owned and Leased Real Property:

1. By November 15 of each year, the Department of General Services (DGS) shall consolidate the reporting requirements of § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia into a single report eliminating the individual reports required by § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia. This report shall be submitted to the Governor and the General Assembly and include (i) information on the implementation and effectiveness of the program established pursuant to subsection A of § 2.2-1131.1, (ii) a listing of real property leases that are in effect for the current year, the agency executing the lease, the amount of space leased, the population of each leased facility, and the annual cost of the lease; and, (iii) a report on DGS's findings and recommendations under the provisions of § 2.2-1153, and recommendations for any actions that may be required by the Governor and the General Assembly to identify and dispose of property not being efficiently and effectively utilized.

2. By October 1 of each year, each agency that controls leased property, where such leased property is not under the DGS lease administration program, shall provide a report on each leased facility or portion thereof to DGS in a manner and form prescribed by DGS. Specific data included in the report shall identify at a minimum, the number of square feet occupied, the number of employees and contractors working in the leased space, if applicable, and the cost of the lease.

f. Services Reports:

Status of any exemptions by the State Council of Higher Education to policy which prohibits use of funds in this act for the operation of any academic program by any state institution of higher education, unless approved by the Council and included in the Governor's recommended budget, or approved by the General Assembly (see § 4-5.05 b 2).

g. Standard State Agency Abbreviations:

The Department of Planning and Budget shall be responsible for maintaining a list of standard abbreviations of the names of state agencies. The Department shall make a listing of agency standard abbreviations available via electronic means on a continuous basis to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, the State Comptroller, the Director, Department of Human Resource Management and the Chief Information Officer, Virginia Information Technologies Agency, and the public.

h. Educational and General Program Nongeneral Fund Administrative Appropriations Approved by the Department of Planning and Budget:

The Secretary of Finance and Secretary of Education, in collaboration with the Director, Department of Planning and Budget, shall report in December and June of each year to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on adjustments made to higher education operating funds in the Educational and General Programs (10000) items for each public college and university contained in this budget. The report shall include actual or projected adjustments which increase nongeneral funds or actual or projected adjustments that transfer nongeneral funds to other items within the institution. The report shall provide the justification for the increase or transfer and the relative impact on student groups.

§ 4-8.02 STATE AGENCIES

a. As received, all state agencies shall forward copies of each federal audit performed on agency or institution programs or activities to the Auditor of Public Accounts and to the State Comptroller. Upon request, all state agencies shall provide copies of all internal audit reports and access to all working papers prepared by such auditors to the Auditor of Public Accounts and to the State Comptroller.

b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, or requests for amendments to the Department of Planning and Budget, the Director, Department of Planning and Budget shall submit, electronically if available, copies to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees.

c. By September 1 of each year, state agencies receiving any asset as the result of a law-enforcement seizure and subsequent forfeiture by either a state or federal court, shall submit a report identifying all such assets received during the prior fiscal year and their estimated net worth, to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

d. Any state agency that is required to return federal grant funding as a result of not fulfilling the specifications of a grant, shall, as soon as practicable but no later than November 1st, report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees of such forfeiting of federal grant funding.

## § 4-8.03 LOCAL GOVERNMENTS

a.1. The Auditor of Public Accounts shall establish a workgroup to develop criteria for a preliminary determination that a local government may be in fiscal distress. Such criteria shall be based upon information regularly collected by the Commonwealth or otherwise regularly made public by the local government. This information includes expenditure reports submitted to the Auditor, budget information posted on local government websites, and reports prepared by the Commission on Local Government on revenue fiscal stress. Information provided by the Virginia Retirement System, the Virginia Resources Authority, the Virginia Public Building Authority, and other state and regional authorities concerning late or missed debt service payments shall be shared with the Auditor. Fiscal distress as used in this context shall mean a situation whereby the provision and sustainability of public services is threatened by various administrative and financial shortcomings including but not limited to cash flow issues; inability to pay expenses; revenue shortfalls; deficit spending; structurally imbalanced budgets; billing and revenue collection inadequacies and discrepancies; debt overload; failure to meet obligations to authorities, school divisions, or political subdivisions of the Commonwealth; and/or lack of trained and qualified staff to process administrative and financial transactions. Fiscal distress may be caused by factors internal to the unit of government or external to the unit of government and in various degrees such conditions may or may not be controllable by management, or the local governing body, or its constitutional officers.

2. Based upon the criteria established by the workgroup and using information identified above, the Auditor of Public Accounts shall establish a prioritized early warning system. Under the prioritized early warning system, the Auditor of Public Accounts shall establish a regular process whereby it reviews data on at least an annual basis to make a preliminary determination that a local government is in fiscal distress.

3. For local governments where the Auditor of Public Accounts has made a preliminary determination of fiscal distress based upon the early warning system criteria, the Auditor of Public Accounts shall notify the local governing body of its preliminary determination that it may meet the criteria for fiscal distress. Based upon the request of the local governing body or chief executive officer, the Auditor of Public Accounts may conduct a review and request documents and data from the local government. Such review shall consider factors including, but not limited to, budget processes, debt, borrowing, expenses and payables, revenues and receivables, and other areas including staffing, and the identification of external variables contributing to a locality's financial position, and if so, the scope of the issues involved. Any local governing body that receives requests for information from the Auditor of Public Accounts pursuant to such preliminary determination based on the above described threshold levels shall acknowledge receipt of such a request and shall ensure that a response is provided within the time frames specified by the Auditor of Public Accounts. After such review, if the Auditor of Public Accounts is of the opinion that state assistance, oversight, or targeted intervention is needed, either to further assess, help stabilize, or remediate the situation, the Auditor shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the governing body of the local government in writing outlining specific issues or actions that need to be addressed by state intervention.

4. The notification issued by the Auditor of Public Accounts pursuant to paragraph 3 above shall satisfy the notification requirement necessary to effectuate the provisions of this act in paragraph b.3 below.

b.1. The Director of the Department of Planning and Budget shall identify any amounts remaining unexpended from general fund appropriations in this Act as of June 30 of each year, which constitute state aid to local governments. The Director shall provide a listing of such amounts designated by item number and by program on or before August 15 of each year, to the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee.

2. From such unexpended balances identified by the Director of the Department of Planning and Budget, the Governor may reappropriate up to \$750,000 from amounts which would otherwise revert to the balance of the general fund and transfer such amounts as necessary to establish a component of fund balance which may be used for the purpose of providing technical assistance and intervention actions for local governments deemed to be fiscally distressed and in need of intervention to address such distress. Any such reappropriation approved by the Governor, shall be separately identified in the commitments specified on the balance sheet and financial statements of the State Comptroller for the close of each fiscal year, to the extent that such reserve is not used or added to by future appropriation actions.

3. Prior to any expenditure of the reappropriated reserve, the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee must receive a notification from the Auditor of Public Accounts that a specific locality is in need of intervention because of a worsening financial situation. The Auditor of Public Accounts may issue such a notification upon receipt of audited financial statement or other information that indicates the existence of fiscal distress. But, no such notification shall be made until appropriate follow up and correspondence ascertains that, in the opinion of the Auditor of Public Accounts, such fiscal distress indeed exists. Such notification may also be issued by the Auditor of Public Accounts if written concerns raised about fiscal distress are not adequately addressed by the locality in question.

4. Once the Governor has received a notification from the Auditor of Public Accounts indicating fiscal distress in a specific local government, the Governor shall consult with the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee about a plan for state intervention prior to any expenditure of funds from the cash reserve. Any plan approved by the Governor for intervention should, at a minimum, specify the purpose of such intervention, the estimated duration of the intervention, and the anticipated resources (dollars and personnel) directed toward such effort. The staffing necessary to carry out the intervention plan may be assembled from either public agencies or private entities or both and, notwithstanding any other



provisions of law, the Governor may use an expedited method of procurement to secure such staffing when, in his judgment, the need for intervention is of an emergency nature such that action must be taken in a timely manner to avoid or address unacceptable financial risks to the Commonwealth.

5. The governing body and the elected constitutional officers of a locality subject to an intervention plan approved by the Governor shall assist all state appointed staff conducting the intervention regardless of whether such staff are from public agencies or private entities. Intervention staff shall provide periodic reports in writing to the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee outlining the scope of issues discovered and any recommendations made to remediate such issues, and the progress that is made on such recommendations or other remediation efforts. These periodic reports shall specifically address the degree of cooperation the intervention team is receiving from locally elected officials, including constitutional officers, city, county, or town managers and other local personnel in regards to their intervention work.

6. The Department of General Services is hereby encouraged to develop a master contract of qualified private sector turnaround specialists with expertise in local government intervention that the Governor can use to procure intervention services in an expeditious manner when he determines that state intervention is warranted in situations of local fiscal distress.

c. No locality that has been previously authorized as an eligible host city pursuant to § 58.1-4107, Code of Virginia, to conduct casino gaming which held a local referendum on November 2, 2021, that failed, shall be eligible to hold a subsequent local referendum until November 2023.

#### **§ 4-9.00 HIGHER EDUCATION RESTRUCTURING**

##### **§ 4-9.01 ASSESSMENT OF INSTITUTIONAL PERFORMANCE**

Consistent with § 23.1-206, Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no later than October 1 of each even-numbered year. Institutional performance on measures set forth in paragraph D of this section shall be evaluated year-to-date by the Secretaries of Finance and Administration as appropriate, and communicated to the State Council of Higher Education before October 1 of each even-numbered year. Financial benefits provided to each institution in accordance with § 23.1-1002 will be evaluated in light of that institution's performance.

In general, institutions are expected to achieve all performance measures in order to be certified by SCHEV, but it is understood that there can be circumstances beyond an institution's control that may prevent achieving one or more performance measures. The Council shall consider, in consultation with each institution, such factors in its review: (1) institutions meeting all performance measures will be certified by the Council and recommended to receive the financial benefits, (2) institutions that do not meet all performance measures will be evaluated by the Council and the Council may take one or more of the following actions: (a) request the institution provide a remediation plan and recommend that the Governor withhold release of financial benefits until Council review of the remediation plan or (b) recommend that the Governor withhold all or part of financial benefits.

Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related measures that the State Council deems unrelated to an institution's mission or unnecessary given the institution's level of performance.

The State Council may develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

##### **a. BIENNIAL ASSESSMENTS**

1. Institution meets at least 95 percent of its State Council-approved biennial projections for in-state undergraduate headcount enrollment.
2. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state associate and bachelor degree awards.
3. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state STEM-H (Science, Technology, Engineering, Mathematics, and Health professions) associate and bachelor degree awards.
4. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state, upper level - sophomore level for two-year institutions and junior and senior level for four-year institutions - program-placed, full-time equivalent students.
5. Maintain or increase the number of in-state associate and bachelor degrees awarded to students from under-represented populations.

6. Maintain or increase the number of in-state two-year transfers to four-year institutions.

b. Elementary and Secondary Education

1. The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production and retention of teachers, and the exiting of teachers from the teaching profession.

2. a) The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally identifiable information from education records in order to evaluate and study student preparation for and enrollment and performance at state institutions of higher education in order to improve educational policy and instruction in the Commonwealth. However, such study shall be conducted in such a manner as to not permit the personal identification of students by persons other than representatives of the Department of Education or the State Council for Higher Education for Virginia, and such shared information shall be destroyed when no longer needed for purposes of the study.

b) Notwithstanding § 2.2-3800 of the Code of Virginia, the Virginia Department of Education, State Council of Higher Education for Virginia, Virginia Community College System, and the Virginia Employment Commission may collect, use, share, and maintain de-identified student data to improve student and program performance including those for career readiness.

3. Institutions of higher education shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the purpose of studying student preparation as it relates to the content and rigor of the Standards of Learning. Furthermore, the superintendent of each school division shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the same purpose. All information provided to the Superintendent or his designee for this purpose shall be used solely for the purpose of evaluating the Standards of Learning and shall not be redisclosed, except as provided under federal law. All information shall be destroyed when no longer needed for the purposes of studying the content and rigor of the Standards of Learning.

c. SIX-YEAR PLAN

Institution prepares six-year financial plan consistent with § 23.1-907.

d. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to all institutions except those governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

1. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and administrative standards:

a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and

e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

2. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be prudently issued within a specified period.

3. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15 percent from the established goal will be acceptable.

4. The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable.

The institution will make no less than 75 percent of dollar purchases through the Commonwealth's enterprise-wide internet procurement system (eVA) from vendor locations registered in eVA.

5. The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally approved by the institution's governing board for projects initiated under delegated authority, or the budget set out in the Appropriation Act or

other Acts of Assembly. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun.

6. The institution will complete major information technology projects (with an individual cost of over \$1,000,000) within the budgets and schedules originally approved by the institution's governing board. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Administration shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay.

#### e. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly. They shall be measured by the administrative standards outlined in the Management Agreements and § 4-9.02.d.4. of this act. However, the Governor may supplement or replace those administrative performance measures with the administrative performance measures listed in this paragraph. Effective July 1, 2009, the following administrative and financial measures shall be used for the assessment of institutional performance for institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly and those governed under Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, and Chapters 124 and 125 of the 2019 Acts of Assembly.

##### 1. Financial

- a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;
- b) No significant audit deficiencies attested to by the Auditor of Public Accounts;
- c) Substantial compliance with all financial reporting standards approved by the State Comptroller;
- d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and
- e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

##### 2. Debt Management

- a) The institution shall maintain a bond rating of AA- or better;
- b) The institution achieves a three-year average rate of return at least equal to the imoney.net money market index fund; and
- c) The institution maintains a debt burden ratio equal to or less than the level approved by the Board of Visitors in its debt management policy.

##### 3. Human Resources

- a) The institution's voluntary turnover rate for classified plus university/college employees will meet the voluntary turnover rate for state classified employees within a variance of 15 percent; and
- b) The institution achieves a rate of internal progression within a range of 40 to 60 percent of the total salaried staff hires for the fiscal year.

##### 4. Procurement

- a) The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) procurement plan as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable; and
- b) The institution will make no less than 80 percent of purchase transactions through the Commonwealth's enterprise-wide internet procurement system (eVA) with no less than 75 percent of dollars to vendor locations in eVA.

##### 5. Capital Outlay

- a) The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally approved by the institution's governing board at the preliminary design state for projects initiated under delegated authority, or the budget set out in the Appropriation Act or other Acts of Assembly which provides construction funding for the project at the preliminary design state. If the institution exceeds the budget for any such project, the Secretaries of Administration and

Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun;

b) The institution shall complete capital projects with the dollar amount of owner requested change orders not more than 2 percent of the guaranteed maximum price (GMP) or construction price; and

c) The institution shall pay competitive rates for leased office space – the average cost per square foot for office space leased by the institution is within 5 percent of the average commercial business district lease rate for similar quality space within reasonable proximity to the institution's campus.

#### 6. Information Technology

a) The institution will complete major information technology projects (with an individual cost of over \$1,000,000) on time and on budget against their managed project baseline. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay; and

b) The institution will maintain compliance with institutional security standards as evaluated in internal and external audits. The institution will have no significant audit deficiencies unresolved beyond one year.

#### f. REPORTING

The Director, Department of Planning and Budget, with cooperation from the Comptroller and institutions of higher education governed under Management Agreements, shall develop uniform reporting requirements and formats for revenue and expenditure data.

#### g. EXEMPTION

The requirements of this section shall not be in effect if they conflict with § 23.1-206.D. of Chapters 828 and 869 of the Acts of Assembly of 2011.

### § 4-9.02 LEVEL II AUTHORITY

a. Notwithstanding the provisions of § 5 of Chapter 824 and 829 of the 2008 Acts of Assembly, institutions of higher education that have met the eligibility criteria for additional operational and administrative authority set forth in Chapters 824 and 829 of the 2008 Acts of Assembly shall be allowed to enter into separate negotiations for additional operational authority for a third and separate functional area listed in Chapter 824 and 829 of the 2008 Acts of Assembly, provided they have:

1. successfully completed at least three years of effectiveness and efficiencies operating under such additional authority granted by an original memorandum of understanding;
2. successfully renewed an additional memoranda of understanding for a five year term for each of the original two areas.

The institutions shall meet all criteria and follow policies for negotiating and establishing a memorandum of understanding with the Commonwealth of Virginia as provided in § 2.0 (Information Technology), § 3.0 (Procurement), and § 4.0 (Capital Outlay) of Chapter 824 and 829 of the 2008 Acts of Assembly.

b. As part of the memorandum of understanding, each institution shall be required to adopt at least one new education-related measure for the new area of operational authority. Each education-related measure and its respective target shall be developed in consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the State Council of Higher Education for Virginia. Each education-related measure and its respective target must be approved by the State Council of Higher Education for Virginia. The development and administration of education-related measures described in paragraph b. and in § 23.1-1003 A.3. are suspended through 2022-2024.

c. Subject to review of its Shared Services Center by the Department of General Services, and approval to proceed with decentralized procurement of authority by the Department of General Services, the Virginia Community College System (VCCS) is authorized, for a period of five years, to exercise additional financial and administrative authority as set out in each of the three functional areas of information technology, procurement and capital projects as set forth and subject to all the conditions in §§ 2.0, 3.0 and 4.0 of the second enactment of Chapter 824 and 829 of the Acts of Assembly of 2008 except that (i) any effective dates contained in Chapter 824 and 829 of the Acts of Assembly of 2008 are superseded by the provisions of this item. The State Board for Community Colleges may request any subsequent delegation of procurement authority after consultation with and positive recommendation by the Department of General Services.

d. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement for institutions of higher education that have operational authority in the area of procurement, the small purchases thresholds shall be the same thresholds set forth in the Virginia Public Procurement Act (§ 2.2- 4300 et seq). Where small purchase thresholds in the Rules Governing Procurement for such institutions exceed those in 2.2-4300 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

e. Consistent with the 2019 updates to the Virginia Public Procurement Act, institutions of higher education that have operational authority in the area of procurement are permitted to conform their Request for Proposal advertising rules to that of § 2.2-4302.2.A.2.

#### § 4-9.03 LEVEL III AUTHORITY

a. The Management Agreements negotiated by the institutions contained in Chapters 675 and 685 of the 2009 Acts of Assembly shall continue in effect unless the Governor, the General Assembly, or the institutions determine that the Management Agreements need to be renegotiated or revised.

b. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement the small purchases thresholds for Level III institutions shall be the small purchase thresholds set forth in the Virginia Public Procurement Act (§ 2.2-4300 et seq). Where small purchase thresholds under Rules Governing Procurement for Level III institutions exceed those in 2.2-4300 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

c. Consistent with the 2019 updates to the Virginia Public Procurement Act, institutions of higher education that have Management Agreements are permitted to conform their Request for Proposal advertising rules to that of § 2.2-4302.2.A.2

#### § 4-9.04 IMPLEMENT JLARC RECOMMENDATIONS

a. The Boards of Visitors at each Virginia public four-year higher education institution, to the extent practicable, shall:

1. require their institutions to clearly list the amount of the athletic fee on their website's tuition and fees information page. The page should include a link to the State Council of Higher Education for Virginia's tuition and fee information. The boards should consider requiring institutions to list the major components of all mandatory fees, including the portion attributable to athletics, on a separate page attached to student invoices;

2. assess the feasibility and impact of raising additional revenue through campus recreation and fitness enterprises to reduce reliance on mandatory student fees. The assessments should address the feasibility and impact of raising additional revenue through charging for specialized programs and services, expanding membership, and/or charging all users of recreation facilities;

3. direct staff to perform a comprehensive review of the institution's organizational structure, including an analysis of spans of control and a review of staff activities and workload, and identify opportunities to streamline the organizational structure. Boards should further direct staff to implement the recommendations of the review to streamline their organizational structures where possible;

4. require periodic reports on average and median spans of control and the number of supervisors with six or fewer direct reports;

5. direct staff to revise human resource policies to eliminate unnecessary supervisory positions by developing standards that establish and promote broader spans of control. The new policies and standards should (i) set an overall target span of control for the institution, (ii) set a minimum number of direct reports per supervisor, with guidelines for exceptions, (iii) define the circumstances that necessitate the use of a supervisory position, (iv) prohibit the establishment of supervisory positions for the purpose of recruiting or retaining employees, and (v) establish a periodic review of departments where spans of control are unusually narrow; and,

6. direct institution staff to set and enforce policies to maximize standardization of purchases of commonly procured goods, including use of institution-wide contracts;

7. consider directing institution staff to provide an annual report on all institutional purchases, including small purchases, that are exceptions to the institutional policies for standardizing purchases;

8. participate in national faculty teaching load assessments by discipline and faculty type.

b. The State Council on Higher Education for Virginia, to the extent practicable, shall:

1. convene a working group of institution financial officers, with input from the Department of Accounts, the Department of Planning and Budget, and the Auditor of Public Accounts, to create a standard way of calculating and publishing mandatory non-E&G fees, including for intercollegiate athletics;

2. update the state's Chart of Accounts for higher education in order to improve comparability and transparency of mandatory non-E&G fees, with input from the Department of Accounts, the Department of Planning and Budget, the Auditor of Public Accounts, and institutional staff. This process should be coordinated with the standardization of tuition and fee reporting;

3. convene a working group of institutional staff to develop instructional and research space guidelines that adequately measure current use of space and plans for future use of space at Virginia's public higher education institutions;

4. coordinate a committee of institutional representatives, such as the previously authorized Learning Technology Advisory Committee. In addition to the objectives set out in the Appropriation Act for the Learning Technology Advisory Committee, the committee should identify instructional technology initiatives and best practices for directly or indirectly lowering institutions' instructional expenditures per student while maintaining or enhancing student learning;
  5. include factors such as discipline, faculty rank, cost of living, and regional comparisons in developing faculty salary goals;
  6. identify instructional technology best practices that directly or indirectly lower student cost while maintaining or enhancing learning.
- c. Notwithstanding the provisions of § 23.1-1304, the State Council of Higher Education for Virginia shall annually train boards of visitors members on the types of information members should request from institutions to inform decision making, such as performance measures, benchmarking data, the impact of financial decisions on student costs, and past and projected cost trends. Boards of Visitors members serving on finance and facilities subcommittees should, at a minimum, participate in the training within their first year of membership on the subcommittee. SCHEV should obtain assistance in developing or delivering the training from relevant agencies such as the Department of General Services and past or present finance officers at Virginia's public four-year institutions, as appropriate.
- d. The Department of Planning and Budget shall revise the formula used to make allocation recommendations for the state's maintenance reserve funding to account for higher maintenance needs resulting from poor facility condition, aging of facilities, and differences in facility use.
- e. The Six-Year Capital Outlay Plan Advisory Committee, the Department of Planning and Budget, and others as appropriate shall use the results of the prioritization process established by the State Council of Higher Education for Virginia in determining which capital projects should receive funding.
- f. Beginning with fiscal year 2016, the Auditor of Public Accounts shall include in its audit plan for each public institution of higher education a review of progress in implementing the JLARC recommendations contained in paragraph § 4-9.04 a.

#### **§ 4-11.00 STATEMENT OF FINANCIAL CONDITION**

Each agency head handling any state funds shall, at least once each year, upon request of the Auditor of Public Accounts, make a detailed statement, under oath, of the financial condition of his office as of the date of such call, to the Auditor of Public Accounts, and upon such forms as shall be prescribed by the Auditor of Public Accounts.

#### **§ 4-12.00 SEVERABILITY**

If any part, section, subsection, paragraph, sentence, clause, phrase, or item of this act or the application thereof to any person or circumstance is for any reason declared unconstitutional, such decisions shall not affect the validity of the remaining portions of this act which shall remain in force as if such act had been passed with the unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, item or such application thereof eliminated; and the General Assembly hereby declares that it would have passed this act if such unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, or item had not been included herein, or if such application had not been made.

#### **§ 4-13.00 CONFLICT WITH OTHER LAWS**

Notwithstanding any other provision of law, and until June 30, 2024, the provisions of this act shall prevail over any conflicting provision of any other law, without regard to whether such other law is enacted before or after this act; however, a conflicting provision of another law enacted after this act shall prevail over a conflicting provision of this act if the General Assembly has clearly evidenced its intent that the conflicting provision of such other law shall prevail, which intent shall be evident only if such other law (i) identifies the specific provision(s) of this act over which the conflicting provision of such other law is intended to prevail and (ii) specifically states that the terms of this section are not applicable with respect to the conflict between the provision(s) of this act and the provision of such other law.

#### **§ 4-14.00 EFFECTIVE DATE**

This act is effective on July 1, 2022.

#### **ADDITIONAL ENACTMENTS**

**2. That § 58.1-301 of the Code of Virginia is amended and reenacted as follows:**

##### **58.1-301. Conformity to Internal Revenue Code.**

A. Any term used in this chapter shall have the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required.

B. Any reference in this chapter to the laws of the United States relating to federal income taxes shall mean the provisions of the

Internal Revenue Code of 1954, and amendments thereto, and other provisions of the laws of the United States relating to federal income taxes, as they existed on ~~December 31, 2020~~; *December 31, 2021*, except for:

1. The special depreciation allowance for certain property provided for under §§ 168(k), 168(l), 168(m), 1400L, and 1400N of the Internal Revenue Code;
2. The carry-back of certain net operating losses for five years under § 172(b)(1)(H) of the Internal Revenue Code;
3. The original issue discount on applicable high yield discount obligations under § 163(e)(5)(F) of the Internal Revenue Code;
4. The deferral of certain income under § 108(i) of the Internal Revenue Code. For Virginia income tax purposes, income from the discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument" (as defined under § 108(i) of the Internal Revenue Code) reacquired in the taxable year shall be fully included in the taxpayer's Virginia taxable income for the taxable year, unless the taxpayer elects to include such income in the taxpayer's Virginia taxable income ratably over a three-taxable-year period beginning with taxable year 2009 for transactions completed in taxable year 2009, or over a three-taxable-year period beginning with taxable year 2010 for transactions completed in taxable year 2010 on or before April 21, 2010. For purposes of such election, all other provisions of § 108(i) of the Internal Revenue Code shall apply mutatis mutandis. No other deferral shall be allowed for income from the discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument";
5. For taxable years beginning on and after January 1, 2019, the suspension of the overall limitation on itemized deductions under § 68(f) of the Internal Revenue Code;
6. For taxable years beginning on and after January 1, 2017, but before January 1, 2018, and for taxable years beginning on and after January 1, 2019, the 7.5 percent of federal adjusted gross income threshold set forth in § 213(a) of the Internal Revenue Code that is used for purposes of computing the deduction allowed for expenses for medical care pursuant to § 213 of the Internal Revenue Code. For such taxable years, the threshold utilized for Virginia income tax purposes to compute the deduction allowed for expenses for medical care pursuant to § 213 of the Internal Revenue Code shall be 10 percent of federal adjusted gross income;
7. The provisions of §§ 2303(a) and 2303(b) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to the net operating loss limitation and carryback;
8. The provisions of § 2304(a) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to a loss limitation applicable to taxpayers other than corporations;
9. The provisions of § 2306 of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (2020), related to the limitation on business interest; and
10. For taxable years beginning before January 1, 2021, ~~the~~ the provisions of §§ 276(a), 276(b)(2), 276(b)(3), 278(a)(2), 278(a)(3), 278(b)(2), 278(b)(3), 278(c)(2), 278(c)(3), 278(d)(2), and 278(d)(3) of the federal Consolidated Appropriations Act, P.L. 116-260 (2020), and §§ 9673(2), 9673(3), 9672(2), and 9672(3) of the federal American Rescue Plan Act, P.L. 117-2 (2021) related to deductions, tax attributes, and basis increases for certain loan forgiveness and other business financial assistance.

The Department of Taxation is hereby authorized to develop procedures or guidelines for implementation of the provisions of this section, which procedures or guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

**3. That § 58.1-339.8 of the Code of Virginia is amended and reenacted as follows:**

**58.1-339.8. Income tax credit for low-income taxpayers.**

A. As used in this section, unless the context requires otherwise:

"Family Virginia adjusted gross income" means the combined Virginia adjusted gross income of an individual, the individual's spouse, and any person claimed as a dependent on the individual's or his spouse's income tax return for the taxable year.

"Household" means an individual, or in the case of married persons, an individual and his spouse, regardless of whether or not the individual and his spouse file combined or separate Virginia individual income tax returns.

"Poverty guidelines" means the poverty guidelines for the 48 contiguous states and the District of Columbia updated annually in the Federal Register by the U.S. Department of Health and Human Services under the authority of § 673(2) of the Omnibus Budget Reconciliation Act of 1981.

"Virginia adjusted gross income" has the same meaning as the term is defined in § 58.1-321.

B.1. For taxable years beginning on and after January 1, 2000, any individual or persons filing a joint return whose family Virginia adjusted gross income does not exceed 100 percent of the poverty guideline amount corresponding to a household of an equal number of persons as listed in the poverty guidelines published during such taxable year, shall be allowed a *nonrefundable*

credit against the tax levied pursuant to § 58.1-320 in an amount equal to \$300 each for the individual, the individual's spouse, and any person claimed as a dependent on the individual's or married individuals' income tax return for the taxable year. For any taxable year in which married individuals file separate Virginia income tax returns, the credit provided under this section shall be allowed against the tax for only one of such two tax returns. Additionally, the credit provided under this section shall not be allowed against such tax of a dependent of the individual or of married individuals.

2. For taxable years beginning on and after January 1, 2006, any individual or married individuals, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision B 1, claim a *nonrefundable* credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 20 percent of the credit claimed by the individual or married individuals for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year. In no case shall a household be allowed a credit pursuant to this subdivision and subdivision B 1 or 3 for the same taxable year.

3. *For taxable years beginning on and after January 1, 2022, but before January 1, 2026, any individual or married persons, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision 1 or 2, claim a refundable credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 15 percent of the credit claimed by the individual or married persons for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year. The refundable credit shall be claimed on the Virginia income tax return and redeemed by the Tax Commissioner. In no case shall a household be allowed a credit pursuant to this subdivision and subdivision 1 or 2 for the same taxable year.*

~~For the purpose of this subdivision, "household" means an individual and, in the case of married individuals, the individual and his spouse regardless of whether or not the individual and his spouse file combined or separate Virginia individual income tax returns.~~

C. The amount of the credit ~~provided~~ *claimed* pursuant to ~~subsection~~ *subdivision B 1 and B 2, or in the case of a nonresident or a person to which § 58.1-303 applies, subdivision B 3,* for any taxable year shall not exceed the individual's or married individuals' Virginia income tax liability.

D. Notwithstanding any other provision of this section, no credit shall be allowed pursuant to subsection B in any taxable year in which the individual, the individual's spouse, or both, or any person claimed as a dependent on such individual's or married individuals' income tax return, claims one or any combination of the following on his or their income tax return for such taxable year:

1. The subtraction under subdivision 8 of § 58.1-322.02;
2. The subtraction under subdivision 15 of § 58.1-322.02;
3. The subtraction under subdivision 16 of § 58.1-322.02;
4. The deduction for the additional personal exemption for blind or aged taxpayers under subdivision 2 b of § 58.1-322.03; or
5. The deduction under subdivision 5 of § 58.1-322.03.

**4. That the provisions of the third enactment clause of this Act shall apply for taxable years beginning on and after January 1, 2022.**

**5. That § 58.1-611.1 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-611.1. Exemption for food purchased for human consumption and essential personal hygiene products.**

~~A. Before January 1, 2023,~~ *the tax imposed by §§ 58.1-603 and 58.1-604 on food purchased for human consumption and essential personal hygiene products shall be one and one-half percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one-half percent shall be distributed as provided in subsection A of § 58.1-638 and (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C, and D of § 58.1-638.*

~~B. The provisions of this section shall not affect the imposition of tax on food purchased for human consumption and essential personal hygiene products pursuant to §§ 58.1-605 and 58.1-606.~~

~~C. On and after January 1, 2023, and except for taxes imposed pursuant to §§ 58.1-605 and 58.1-606, no tax shall be imposed under this chapter, or pursuant to any authority granted under this chapter, on food purchased for human consumption or essential personal hygiene products.~~

*C. Beginning February 1, 2023, an amount equal to the revenue that would have been distributed pursuant to clause (ii) of subsection A shall be distributed as provided in subsections B, C, and D of § 58.1-638 based on the estimates of the population of cities and counties ages five to 19.*

D. 1. As used in this section, "food purchased for human consumption" has the same meaning as "food" defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to that Act, except it shall not include seeds and plants which produce food for human consumption. For the purpose of this section, "food purchased for human consumption" shall not include food sold by any retail establishment where the gross receipts derived from the sale of food prepared by such retail establishment for immediate consumption on or off the premises of the retail establishment constitutes more than 80 percent of the total



gross receipts of that retail establishment, including but not limited to motor fuel purchases, regardless of whether such prepared food is consumed on the premises of that retail establishment. For purposes of this section, "retail establishment" means each place of business for which any "dealer," as defined in § 58.1-612, is required to apply for and receive a certificate of registration pursuant to § 58.1-613.

2. As used in this section, "essential personal hygiene products" means (i) nondurable incontinence products such as diapers, disposable undergarments, pads, and bed sheets and (ii) menstrual cups and pads, pantyliners, sanitary napkins, tampons, and other products used to absorb or contain menstrual flow. "Essential personal hygiene products" does not include any item that is otherwise exempt pursuant to this chapter.

**6. That § 58.1-322.03 of the Code of Virginia is amended and reenacted as follows:**

**58.1-322.03. Virginia taxable income; deductions.**

In computing Virginia taxable income pursuant to § 58.1-322, there shall be deducted from Virginia adjusted gross income as defined in § 58.1-321:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount that, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return: (i) for taxable years beginning before January 1, 2019, and on and after January 1, 2026, \$3,000 for single individuals and \$6,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return) ~~and~~; (ii) for taxable years beginning on and after January 1, 2019, but before January 1, ~~2026~~ 2022, \$4,500 for single individuals and \$9,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); *and (iii) for taxable years beginning on and after January 1, 2022, but before January 1, 2026, \$8,000 for single individuals and \$16,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return).* For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of \$930 for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. Each blind or aged taxpayer as defined under § 63(f) of the Internal Revenue Code shall be entitled to an additional personal exemption in the amount of \$800.

The additional deduction for blind or aged taxpayers allowed under this subdivision shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional \$1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided that the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. a. A deduction in the amount of \$12,000 for individuals born on or before January 1, 1939.

b. A deduction in the amount of \$12,000 for individuals born after January 1, 1939, who have attained the age of 65. This deduction shall be reduced by \$1 for every \$1 that the taxpayer's adjusted federal adjusted gross income exceeds \$50,000 for single taxpayers or \$75,000 for married taxpayers. For married taxpayers filing separately, the deduction shall be reduced by \$1 for every \$1 that the total combined adjusted federal adjusted gross income of both spouses exceeds \$75,000.

For the purposes of this subdivision, "adjusted federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.

6. The amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or college savings trust account entered into with the Virginia College Savings Plan, pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. Except as provided in subdivision b, the amount deducted on any individual income tax return in any taxable year shall be limited to \$4,000 per prepaid tuition contract or college savings trust account. No deduction shall be allowed pursuant to this subdivision 7 if such payments or contributions are deducted on the purchaser's or contributor's federal

income tax return. If the purchase price or annual contribution to a college savings trust account exceeds \$4,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or college savings trust contribution has been fully deducted; however, except as provided in subdivision b, in no event shall the amount deducted in any taxable year exceed \$4,000 per contract or college savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, "purchaser" or "contributor" means the person shown as such on the records of the Virginia College Savings Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or college savings trust account, the transferee shall succeed to the transferor's tax attributes associated with a prepaid tuition contract or college savings trust account, including, but not limited to, carryover and recapture of deductions.

b. A purchaser of a prepaid tuition contract or contributor to a college savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed \$4,000 per prepaid tuition contract or college savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a college savings trust account, less any amounts previously deducted.

8. The total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided that the individual has not claimed a deduction for such amount on his federal income tax return.

9. An amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subdivision shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. The amount an individual pays annually in premiums for long-term health care insurance, provided that the individual has not claimed a deduction for federal income tax purposes, or, for taxable years beginning before January 1, 2014, a credit under § 58.1-339.11. For taxable years beginning on and after January 1, 2014, no such deduction for long-term health care insurance premiums paid by the individual during the taxable year shall be allowed if the individual has claimed a federal income tax deduction for such taxable year for long-term health care insurance premiums paid by him.

11. Contract payments to a producer of quota tobacco or a tobacco quota holder, or their spouses, as provided under the American Jobs Creation Act of 2004 (P.L. 108-357), but only to the extent that such payments have not been subtracted pursuant to subsection D of § 58.1-402, as follows:

a. If the payment is received in installment payments, then the recognized gain may be subtracted in the taxable year immediately following the year in which the installment payment is received.

b. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

12. An amount equal to 20 percent of the sum paid by an individual pursuant to Chapter 6 (§ 58.1-600 et seq.), not to exceed \$500 in each taxable year, in purchasing for his own use the following items of tangible personal property: (i) any clothes washers, room air conditioners, dishwashers, and standard size refrigerators that meet or exceed the applicable energy star efficiency requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; (ii) any fuel cell that (a) generates electricity using an electrochemical process, (b) has an electricity-only generation efficiency greater than 35 percent, and (c) has a generating capacity of at least two kilowatts; (iii) any gas heat pump that has a coefficient of performance of at least 1.25 for heating and at least 0.70 for cooling; (iv) any electric heat pump hot water heater that yields an energy factor of at least 1.7; (v) any electric heat pump that has a heating system performance factor of at least 8.0 and a cooling seasonal energy efficiency ratio of at least 13.0; (vi) any central air conditioner that has a cooling seasonal energy efficiency ratio of at least 13.5; (vii) any advanced gas or oil water heater that has an energy factor of at least 0.65; (viii) any advanced oil-fired boiler with a minimum annual fuel-utilization rating of 85; (ix) any advanced oil-fired furnace with a minimum annual fuel-utilization rating of 85; and (x) programmable thermostats.

13. The lesser of \$5,000 or the amount actually paid by a living donor of an organ or other living tissue for unreimbursed out-of-pocket expenses directly related to the donation that arose within 12 months of such donation, provided that the donor has not taken a medical deduction in accordance with the provisions of § 213 of the Internal Revenue Code for such expenses. The deduction may be taken in the taxable year in which the donation is made or the taxable year in which the 12-month period expires.

14. For taxable years beginning on and after January 1, 2013, the amount an individual age 66 or older with earned income of at least \$20,000 for the year and federal adjusted gross income not in excess of \$30,000 for the year pays annually in premiums for (i) a prepaid funeral insurance policy covering the individual or (ii) medical or dental insurance for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws. As used in this subdivision, "earned income" means the same as that term is defined in § 32(c) of the Internal Revenue Code. The deduction shall not be allowed for any portion of such

premiums paid for which the individual has (a) been reimbursed, (b) claimed a deduction for federal income tax purposes, (c) claimed a deduction or subtraction under another provision of this section, or (d) claimed a federal income tax credit or any income tax credit pursuant to this chapter.

15. For taxable years beginning on and after January 1, 2018, 20 percent of business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code. For purposes of this subdivision, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

16. For taxable years beginning on and after January 1, 2019, the actual amount of real and personal property taxes imposed by the Commonwealth or any other taxing jurisdiction not otherwise deducted solely on account of the dollar limitation imposed on individual deductions by § 164(b)(6)(B) of the Internal Revenue Code.

17. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to \$100,000 of the amount that is not deductible when computing federal adjusted gross income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans."

**7. That the provisions of the sixth enactment of this Act shall take effect for the 2022 tax year contingent on the Tax Department certifying annual revenue growth, adjusted for the impact tax policy changes, of at least five percent for the six month period of July 2022 through December 2022. If the five percent growth rate is not met for such six month period, the standard deduction for taxable year 2022 shall be \$7,500 for single individuals and \$15,000 for married persons.**

**8. That the provisions of the sixth enactment of this Act shall take effect for the 2023 tax year contingent on the Tax Department certifying annual revenue growth, adjusted for the impact tax policy changes, of at least five percent for the twelve month period of July 2022 through June 2023. If the five percent growth rate is not met for such twelve month period, the standard deduction for taxable year 2023 shall be \$7,500 for single individuals and \$15,000 for married persons.**

**9. That § 58.1-439.30 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-439.30. Virginia housing opportunity tax credit.**

A. ~~Subject to the provisions of subsection H, a housing opportunity tax credit shall be allowed for each qualified project for each year of the credit period, in an amount equal up to the amount of federal low-income housing tax credit allocated or allowed by the Authority to such qualified project; except that there shall be no reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2). The credit shall be allowed ratably for each qualified project, with one-tenth of the credit amount allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.~~

B. 1. For taxable years beginning on and after January 1, 2021, but before January 1, 2026, a qualified taxpayer may claim a housing opportunity tax credit against its Virginia tax liability prior to reduction by any other credits allowed the taxpayer. The housing opportunity tax credit may be allocated by pass-through entities to some or all of its partners, members, or shareholders in any manner agreed to by such persons, regardless of whether or not any such person is allocated or allowed any portion of any federal low-income housing tax credit with respect to the qualified project, whether or not the allocation of the housing opportunity tax credit under the terms of the agreement has substantial economic effect within the meaning of § 704(b) of the Internal Revenue Code, and whether or not any such person is deemed a partner for federal income tax purposes as long as the partner or member would be considered a partner or member as defined under applicable state law, and has been admitted as a partner or member on or prior to the date for filing the qualified taxpayer's tax return, including any amendments thereto, with respect to the year of the housing opportunity tax credit. Such pass-through entities or qualified taxpayer may assign all or any part of its interest, including its interest in the tax credits, to one or more pass-through entities or qualified taxpayers, and the qualified taxpayer shall be able to claim the housing opportunity tax credit so long as its interest is acquired prior to the filing of its tax return claiming the housing opportunity tax credit.

2. *If a housing opportunity tax credit has been awarded according to the terms of subsection G prior to January 1, 2026, such credit may continue to be claimed on a return for taxable years on and after January 1, 2026, but only pursuant to the applicable credit period specified in § 58.1-439.29.*

C. The housing opportunity tax credit authorized by this article shall not be refundable. Any housing opportunity tax credit not used in a taxable year may be carried forward by a *qualified taxpayer* for the succeeding five years.

D. A qualified taxpayer claiming a housing opportunity tax credit shall submit a copy of the eligibility certificate at the time of filing its tax return with the Department. If the owner of the qualified project has applied to the Authority for the eligibility certificate but the Authority has not yet issued the eligibility certificate at the time the qualified taxpayer files its original tax return claiming the housing opportunity tax credit, the taxpayer may claim the housing opportunity tax credit based upon the

amount of tax credit set forth in the ~~carryover allocation or 42(m) letter~~, as applicable, *award letter issued by the Authority for the housing opportunity tax credit* issued to the qualified project and shall amend its tax return to include the eligibility certificate upon its receipt. If the amount of tax credit in the eligibility certificate is different than the amount of tax credit previously claimed, the taxpayer shall adjust the tax credit amount claimed on the amended tax return.

E. If under § 42 of the Internal Revenue Code, as amended, a portion of any federal low-income housing credits taken on a qualified project is required to be recaptured or is otherwise disallowed during the credit period, the taxpayer claiming housing opportunity tax credits with respect to such project shall also be required to recapture a portion of any tax credits authorized by this article. The percentage of housing opportunity tax credits subject to recapture shall be equal to the percentage of federal low-income housing credits subject to recapture or otherwise disallowed during such period. Any tax credits recaptured or disallowed shall increase the income tax liability of the qualified taxpayer who claimed the tax credits in a like amount and shall be included on the tax return of the qualified taxpayer submitted for the taxable year in which the recapture or disallowance event is identified. *The balance of any tax credits recaptured or disallowed shall be allocated by the Authority for any qualified project in accordance with subsection G.*

F. The Authority shall administer the housing opportunity tax credit program and shall be authorized to promulgate the regulations and guidelines necessary to implement and administer ~~the provisions of this article~~. Such regulations and guidelines may include the imposition of application, allocation, certification, and monitoring fees designed to recoup the costs of the Authority in administering the housing opportunity tax credit program. ~~The Authority may also promulgate regulations and guidelines in consultation with the Department to allow a qualified project to elect in its application to the Authority to sell all or any portion of its credits awarded pursuant to this article to one or more unrelated taxpayers. Regulations and guidelines regarding the sale of credits, if promulgated, shall not take effect prior to January 1, 2023, and shall not apply to credits awarded prior to January 1, 2023.~~

*G. 1. Any housing opportunity tax credit amounts authorized in a calendar year that are subsequently (i) canceled and returned to the Authority or (ii) recaptured or disallowed pursuant to subsection E may be awarded in the following calendar year, but no later than December 31, 2025. If the amount of housing opportunity tax credits authorized in a calendar year for qualified projects is less than the total amount of credits available for qualified projects under subdivision H 2, the balance of such credits, in an amount not greater than 15 percent of the amount of credits available for qualified projects under subdivision H 2, (a) shall be allocated by the Authority for any qualified project in the following calendar year, (b) shall not be allocated at any time after such following calendar year, and (c) shall be allocated no later than December 31, 2025.*

*2. Such housing opportunity tax credits issued pursuant to this subsection shall be allowed ratably, with one-tenth of the total amount of credits allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.*

*H. 1. The total amount of housing opportunity tax credits authorized for qualified projects under this article shall not exceed \$15 million ~~per~~ for calendar year 2021.*

*2. For calendar years 2022 through 2025, the total amount of housing opportunity tax credits authorized for qualified projects under this article shall not exceed \$60 million per calendar year. Such credits issued each calendar year shall be allowed ratably, with one-tenth of the total amount of credits allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.*

*3. Notwithstanding any other provision of law to the contrary, the aggregate amount of housing opportunity tax credits authorized for all qualified projects under this article shall not exceed \$255 million across all calendar years.*

**10. That, for the purposes of the ninth enactment of this act, notwithstanding any provision of law or regulation to the contrary, only Virginia housing opportunity tax credits awarded in calendar year 2021, up to a maximum of \$15 million total for all taxpayers in all taxable years, may be claimed pursuant to the provisions of § 58.1-439.30 of the Code of Virginia as set forth in Chapter 495 of the Acts of Assembly of 2021, Special Session I, prior to amendment by the ninth enactment of this act. Nothing in this enactment shall apply to § 58.1-439.30 of the Code of Virginia as amended by the sixth enactment of this act.**

**11. That, for the purposes of the ninth enactment of this act, the Virginia Housing Development Authority (the Authority) shall, upon request from the Chairs of the House Committee on Appropriations, the House Committee on Finance, and the Senate Committee on Finance and Appropriations, provide information, data, and any other requested advisement on the potential structure and cost of a separately authorized certificated Virginia housing opportunity tax credit program that would allow a qualified project to sell all or any portion of its Virginia housing opportunity tax credits, to one or more unrelated taxpayers based on findings in the report of the Department of Housing and Community Development and the Authority stakeholder advisory group submitted pursuant to Chapter 517 of the Acts of Assembly of 2020.**

**12. That, for the purposes of the ninth enactment of this act, of the \$60 million of Virginia housing opportunity tax credits authorized per calendar year from 2022 through 2025 for qualified projects by the Virginia Housing Development Authority (the Authority) pursuant to Article 13.4 (§ 58.1-439.29 et seq.) of Chapter 3 of Title 58.1 of the Code of Virginia, as amended by the ninth enactment of this act, \$20 million of such credits shall be first allocated exclusively for qualified projects located in a**

locality with a population no greater than 35,000 as determined by the most recent United States census. Such allocation of Virginia housing opportunity tax credits shall constitute the minimum amount of such tax credits to be allocated for qualified projects in such localities. However, if the amount of such tax credits requested for qualified projects in such localities is less than the total amount of such credits available for qualified projects in such localities, the balance of such credits shall be allocated for any qualified project, regardless of location. In allocating or allowing such credits to qualified projects in such localities, the Authority shall give equal consideration to qualified projects allocated or allowed a federal low-income housing credit in an amount equal to the 10-year present value calculation of the percentages prescribed under 26 U.S.C. §§ 42(b)(1)(B)(i) and 42(b)(1)(B)(ii).

13. That §§ 18.2-325 and 18.2-334.6 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-325. Definitions.

1. "Illegal gambling" means the making, placing, or receipt of any bet or wager in the Commonwealth of money or other consideration or thing of value, made in exchange for a chance to win a prize, stake, or other consideration or thing of value, dependent upon the result of any game, contest, or any other event the outcome of which is uncertain or a matter of chance, whether such game, contest, or event occurs or is to occur inside or outside the limits of the Commonwealth.

For the purposes of this subdivision and notwithstanding any provision in this section to the contrary, the making, placing, or receipt of any bet or wager of money or other consideration or thing of value shall include the purchase of a product, Internet access, or other thing made in exchange for a chance to win a prize, stake, or other consideration or thing of value by means of the operation of a gambling device as described in subdivision 3 b, regardless of whether the chance to win such prize, stake, or other consideration or thing of value may be offered in the absence of a purchase.

"Illegal gambling" also means the playing or offering for play of any skill game.

2. "Interstate gambling" means the conduct of an enterprise for profit that engages in the purchase or sale within the Commonwealth of any interest in a lottery of another state or country whether or not such interest is an actual lottery ticket, receipt, contingent promise to pay, order to purchase, or other record of such interest.

3. "Gambling device" includes:

a. Any device, machine, paraphernalia, equipment, or other thing, including books, records, and other papers, which are actually used in an illegal gambling operation or activity;

b. Any machine, apparatus, implement, instrument, contrivance, board, or other thing, or electronic or video versions thereof, including but not limited to those dependent upon the insertion of a coin or other object for their operation, which operates, either completely automatically or with the aid of some physical act by the player or operator, in such a manner that, depending upon elements of chance, it may eject something of value or determine the prize or other thing of value to which the player is entitled; provided, however, that the return to the user of nothing more than additional chances or the right to use such machine is not deemed something of value within the meaning of this subsection; and provided further, that machines that only sell, or entitle the user to, items of merchandise of equivalent value that may differ from each other in composition, size, shape, or color, shall not be deemed gambling devices within the meaning of this subsection; and

c. Skill games.

Such devices are no less gambling devices if they indicate beforehand the definite result of one or more operations but not all the operations. Nor are they any less a gambling device because, apart from their use or adaptability as such, they may also sell or deliver something of value on a basis other than chance.

4. "Operator" includes any person, firm, or association of persons, who conducts, finances, manages, supervises, directs, or owns all or part of an illegal gambling enterprise, activity, or operation.

5. "Skill" means the knowledge, dexterity, or any other ability or expertise of a natural person.

6. "Skill game" means an electronic, computerized, or mechanical contrivance, terminal, machine, or other device that requires the insertion of a coin, currency, ticket, token, or similar object to operate, activate, or play a game, the outcome of which is determined by any element of skill of the player and that may deliver or entitle the person playing or operating the device to receive cash or cash equivalents, gift cards, vouchers, billets, tickets, tokens, or electronic credits to be exchanged for cash; ~~merchandise; or anything of value~~ or cash equivalents whether the payoff is made automatically from the device or manually. "Skill game" includes (i) a device that contains a meter or measurement device that records the number of free games or portions of games that are rewarded and (ii) a device designed or adapted to enable a person using the device to increase the chances of winning free games or portions of games by paying more than the amount that is ordinarily required to play the game. "Skill game" does not include any amusement device, as defined in § 18.2-334.6.

7. "Unregulated location" means any location that is not regulated or operated by the Virginia Lottery or Virginia Lottery Board, the Department of Agriculture and Consumer Services or the Charitable Gaming Board, the Virginia Alcoholic Beverage Control

Authority, or the Virginia Racing Commission.

**§ 18.2-334.6. Exemptions to article; amusement devices.**

A. As used in this section:

"Coin-operated amusement games" means games that do not deliver or entitle the person playing or operating the game to receive cash; cash equivalents; gift cards; vouchers; billets; tickets; tokens; or electronic credits to be exchanged for cash; or merchandise or anything of value.

"Family entertainment center" means an establishment that (i) is located in a building that is owned; leased; or occupied by the establishment for the primary purpose of providing amusement and entertainment to the public; (ii) offers coin-operated amusement games and skill games pursuant to the exemption created by this section; and (iii) markets its business to families with children.

"Amusement device" means a game that is activated by a coin, token, or other object of consideration or value and that does not provide the opportunity to (i) enter into a sweepstakes, lottery, or other illegal gambling event or (ii) receive any form of consideration or value, except for an appropriate reward.

"Appropriate reward" means a noncash, merchandise prize (i) the value of which does not exceed the cost of playing the amusement device or the total aggregate cost of playing multiple amusement devices, (ii) that is not and does not include an alcoholic beverage, (iii) that is not eligible for repurchase, and (iv) that is not exchangeable for cash or cash equivalents.

B. Notwithstanding the provisions of § 18.2-325, a person operating a family entertainment center may make skill games amusement devices available for play if the prize won or distributed to a player is a noncash, merchandise prize or a voucher, billet, ticket, token, or electronic credit redeemable only for a noncash, merchandise prize (i) the value of which does not exceed the cost of playing the skill game or the total aggregate cost of playing multiple skill games; (ii) that is not and does not include an alcoholic beverage; (iii) that is not eligible for repurchase; and (iv) that is not exchangeable for cash, cash equivalents, or anything of value whatsoever an appropriate reward. An appropriate reward shall only be redeemable on the premises where the amusement device is located.

C. An amusement device shall not be designed or adapted to cause or enable a person to cause the release of free games or portions of games when designated as a potential reward for use of the device and shall not contain any meter or other measurement device to record the number of free games or portions of games that are rewarded.

D. An amusement device shall not be designed or adapted to enable a person using the device to increase the chances of winning free games or portions of games by paying more than is ordinarily required to play the game.

**14. That §§ 3.2-5145.5, 4.1-1100, 4.1-1101, and 59.1-200 of the Code of Virginia are amended and reenacted as follows:**

**§ 3.2-5145.5. Regulations.**

A. The Board is authorized to adopt regulations for the efficient enforcement of this article.

B. The Board shall adopt regulations identifying contaminants of an industrial hemp extract or a food containing an industrial hemp extract and establishing tolerances for such identified contaminants.

C. The Board shall adopt regulations establishing labeling requirements for an industrial hemp extract or a food containing an industrial hemp extract. *Such regulations shall require that any industrial hemp extract or food containing an industrial hemp extract that contains tetrahydrocannabinol be equipped with a label that states (i) that the industrial hemp extract or food containing an industrial hemp extract contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (ii) all ingredients contained in the industrial hemp extract or food containing an industrial hemp extract, (iii) the amount of such industrial hemp extract or food containing an industrial hemp extract that constitutes a single serving, and (iv) the total percentage and milligrams of tetrahydrocannabinol included in the industrial hemp extract or food containing an industrial hemp extract and the number of milligrams of tetrahydrocannabinol that are contained in each serving.*

D. The Board shall adopt regulations establishing batch testing requirements for industrial hemp extracts. The Board shall require that batch testing of industrial hemp extracts be conducted by an independent testing laboratory that meets criteria established by the Board.

E. With the exception of § 2.2-4031, neither the provisions of the Administrative Process Act (§ 2.2-4000 et seq.) nor public participation guidelines adopted pursuant thereto shall apply to the adoption of any regulation pursuant to this section. Prior to adopting any regulation pursuant to this section, the Board shall publish a notice of opportunity to comment in the Virginia Register of Regulations and post the action on the Virginia Regulatory Town Hall. Such notice of opportunity to comment shall contain (i) a summary of the proposed regulation; (ii) the text of the proposed regulation; and (iii) the name, address, and telephone number of the agency contact person responsible for receiving public comments. Such notice shall be made at least 60 days in advance of the last date prescribed in such notice for submittals of public comment. The legislative review provisions of subsections A and B of § 2.2-4014 shall apply to the promulgation or final adoption process for regulations pursuant to this section. The Board shall consider and keep on file all public comments received for any regulation adopted pursuant to this section.

**§ 4.1-1100. Possession, etc., of marijuana and marijuana products by persons 21 years of age or older lawful; penalties.**

A. Except as otherwise provided in this subtitle and notwithstanding any other provision of law, a person 21 years of age or older may lawfully possess on his person or in any public place not more than one ounce of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the Board.

B. Any person who possesses on his person or in any public place marijuana or marijuana products in excess of the amounts set forth in subsection A is subject to a civil penalty of no more than \$25 *except as otherwise provided in this section*. The penalty for any violations of this section by an adult shall be prepayable according to the procedures in § 16.1-69.40:2.

C. With the exception of *possession by a person in his residence or possession by a licensee in the course of his duties related to such licensee's marijuana establishment*, any person who possesses on his person or in any public place *(i) more than four ounces but not more than one pound of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the Board is guilty of a Class 3 misdemeanor and, for a second or subsequent offense, a Class 2 misdemeanor and (ii) more than one pound of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the Board is guilty of a felony punishable by a term of imprisonment of not less than one year nor more than 10 years and a fine of not more than \$250,000, or both.*

D. The provisions of this section shall not apply to members of federal, state, county, city, or town law-enforcement agencies, jail officers, or correctional officers, as defined in § 53.1-1, certified as handlers of dogs trained in the detection of controlled substances when possession of marijuana is necessary for the performance of their duties.

**§ 4.1-1101. Home cultivation of marijuana for personal use; penalties.**

A. Notwithstanding the provisions of subdivision e(c) of § 18.2-248.1, a person 21 years of age or older may cultivate up to four marijuana plants for personal use at their place of residence; however, at no point shall a household contain more than four marijuana plants. For purposes of this section, a "household" means those individuals, whether related or not, who live in the same house or other place of residence.

A person may only cultivate marijuana plants pursuant to this section at such person's main place of residence.

*A violation of this subsection shall be punishable as follows:*

1. *For possession of more than four marijuana plants but no more than 10 marijuana plants, (i) a civil penalty of \$250 for a first offense, (ii) a Class 3 misdemeanor for a second offense, and (iii) a Class 2 misdemeanor for a third and any subsequent offense;*
2. *For possession of more than 10 but no more than 49 marijuana plants, a Class 1 misdemeanor;*
3. *For possession of more than 49 but no more than 100 marijuana plants, a Class 6 felony; and*
4. *For possession of more than 100 marijuana plants, a felony punishable by a term of imprisonment of not less than one year nor more than 10 years or a fine of not more than \$250,000, or both.*

B. A person who cultivates marijuana for personal use pursuant to this section shall:

1. Ensure that no marijuana plant is visible from a public way without the use of aircraft, binoculars, or other optical aids;
2. Take precautions to prevent unauthorized access by persons younger than 21 years of age; and
3. Attach to each marijuana plant a legible tag that includes the person's name, driver's license or identification number, and a notation that the marijuana plant is being grown for personal use as authorized under this section.

*Any person who violates this subsection is subject to a civil penalty of no more than \$25. The penalty for any violations of this section by an adult shall be prepayable according to the procedures in § 16.1-69.40:2.*

C. A person shall not manufacture marijuana concentrate from home-cultivated marijuana. The owner of a property or parcel or tract of land may not intentionally or knowingly allow another person to manufacture marijuana concentrate from home-cultivated marijuana within or on that property or land.

~~D. The following penalties or punishments shall be imposed on any person convicted of a violation of this section:~~

- ~~1. For possession of more than four marijuana plants but no more than 10 marijuana plants; (i) a civil penalty of \$250 for a first offense; (ii) a Class 3 misdemeanor for a second offense; and (iii) a Class 2 misdemeanor for a third and any subsequent offense;~~
- ~~2. For possession of more than 10 but no more than 49 marijuana plants; a Class 1 misdemeanor;~~
- ~~3. For possession of more than 49 but no more than 100 marijuana plants; a Class 6 felony; and~~
- ~~4. For possession of more than 100 marijuana plants; a felony punishable by a term of imprisonment of not less than one year nor more than 10 years and a fine of not more than \$250,000; or both.~~

**§ 59.1-200. Prohibited practices.**

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;
2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;
3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;
4. Misrepresenting geographic origin in connection with goods or services;
5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;
6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;
7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects or "not first class";
8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;
10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;
11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;
12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;
13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;
- 13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;
14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;
15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;
16. Failing to disclose all conditions, charges, or fees relating to:
  - a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or



unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of \$5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.);

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;
46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;
47. Violating any provision of § 18.2-239;
48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);
49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";
50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);
51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;
52. Violating any provision of § 8.2-317.1;
53. Violating subsection A of § 9.1-149.1;
54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;
55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;
56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);
57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;
58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.);
59. Violating any provision of subsection E of § 32.1-126;
60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;
61. Violating any provision of § 2.2-2001.5;
62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;
63. Violating any provision of § 6.2-312;
64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;
65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2; ~~and~~
66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);
67. *Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Article 4.2 of Chapter 34 of Title 54.1 of the Code of Virginia;*
68. *Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products*

*that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Article 4.2 of Chapter 34 of Title 54.1 of the Code of Virginia;*

*69. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit; and*

*70. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance.*

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

**15. That the Secretary of Agriculture and Forestry shall, in conjunction with the Secretary of Public Safety and Homeland Security and Secretary of Health and Human Resources, establish a task force to analyze and make recommendations regarding whether any statutory or regulatory modifications are necessary to ensure the safe and responsible manufacture and sale of industrial hemp extracts and other substances containing tetrahydrocannabinol that are intended for human consumption, orally or by inhalation, in the Commonwealth. The task force shall focus on the current and recommended statutory and regulatory framework for the various isomers, salts, and salts of isomers of tetrahydrocannabinol. Such task force shall include representatives from the Department of Agriculture and Consumer Services, the Office of the Attorney General, the Department of Forensic Sciences, the Cannabis Control Authority, and other stakeholders as determined by the Secretary of Agriculture and Forestry. The Secretary of Agriculture and Forestry shall report the findings and recommendations of the task force to the Governor and the Chairmen of the Senate Committee on Rehabilitation and Social Services and the House Committee on General Laws by November 15, 2022.**

**16. That any person that sells or offers for sale an industrial hemp extract, as defined in § 3.2-5145.1 of the Code of Virginia, or a food containing an industrial hemp extract is subject to the provisions of Chapter 51 (§ 3.2-5100 et seq.) of Title 3.2 of the Code of Virginia and regulations adopted pursuant thereto.**

**17. That § 58.1-322.02 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-322.02. Virginia taxable income; subtractions.**

In computing Virginia taxable income pursuant to § 58.1-322, to the extent included in federal adjusted gross income, there shall be subtracted:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission, or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States, including, but not limited to, stocks, bonds, treasury bills, and treasury notes but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.
2. Income derived from obligations, or on the sale or exchange of obligations, of the Commonwealth or of any political subdivision or instrumentality of the Commonwealth.
3. Benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code.
4. Up to \$20,000 of disability income, as defined in § 22(c)(2)(B)(iii) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of § 58.1-322.03 may not also claim a subtraction under this subdivision.
5. The amount of any refund or credit for overpayment of income taxes imposed by the Commonwealth or any other taxing jurisdiction.
6. The amount of wages or salaries eligible for the federal Work Opportunity Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.
7. Any amount included therein less than \$600 from a prize awarded by the Virginia Lottery.
8. The wages or salaries received by any person for active and inactive service in the National Guard of the Commonwealth of Virginia, not to exceed the amount of income derived from 39 calendar days of such service or \$3,000, whichever amount is less; however, only those persons in the ranks of O3 and below shall be entitled to the deductions specified in this subdivision.
9. Amounts received by an individual, not to exceed \$1,000 for taxable years beginning on or before December 31, 2019, and

\$5,000 for taxable years beginning on or after January 1, 2020, as a reward for information provided to a law-enforcement official or agency, or to a nonprofit corporation created exclusively to assist such law-enforcement official or agency, in the apprehension and conviction of perpetrators of crimes. This subdivision shall not apply to the following: an individual who is an employee of, or under contract with, a law-enforcement agency, a victim or the perpetrator of the crime for which the reward was paid, or any person who is compensated for the investigation of crimes or accidents.

10. The amount of "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code and which shall be available to partners, shareholders of S corporations, and members of limited liability companies to the extent and in the same manner as other deductions may pass through to such partners, shareholders, and members.

11. Any income received during the taxable year derived from a qualified pension, profit-sharing, or stock bonus plan as described by § 401 of the Internal Revenue Code, an individual retirement account or annuity established under § 408 of the Internal Revenue Code, a deferred compensation plan as defined by § 457 of the Internal Revenue Code, or any federal government retirement program, the contributions to which were deductible from the taxpayer's federal adjusted gross income, but only to the extent the contributions to such plan or program were subject to taxation under the income tax in another state.

12. Any income attributable to a distribution of benefits or a refund from a prepaid tuition contract or savings trust account with the Virginia College Savings Plan, created pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. The subtraction for any income attributable to a refund shall be limited to income attributable to a refund in the event of a beneficiary's death, disability, or receipt of a scholarship.

13. All military pay and allowances, to the extent included in federal adjusted gross income and not otherwise subtracted, deducted, or exempted under this section, earned by military personnel while serving by order of the President of the United States with the consent of Congress in a combat zone or qualified hazardous duty area that is treated as a combat zone for federal tax purposes pursuant to § 112 of the Internal Revenue Code.

14. For taxable years beginning before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent that a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

15. Fifteen thousand dollars of military basic pay for military service personnel on extended active duty for periods in excess of 90 days; however, the subtraction amount shall be reduced dollar-for-dollar by the amount by which the taxpayer's military basic pay exceeds \$15,000 and shall be reduced to zero if such military basic pay amount is equal to or exceeds \$30,000.

16. The first \$15,000 of salary for each federal and state employee whose total annual salary from all employment for the taxable year is \$15,000 or less.

17. Unemployment benefits taxable pursuant to § 85 of the Internal Revenue Code.

18. *a.* Any amount received as military retirement income by an individual awarded the Congressional Medal of Honor.

*b.* For taxable years beginning on and after January 1, 2022, but before January 1, 2023, up to \$10,000 of military benefits; for taxable years beginning on and after January 1, 2023, but before January 1, 2024, up to \$20,000 of military benefits; for taxable years beginning on and after January 1, 2024, but before January 1, 2025, up to \$30,000 of military benefits; and for taxable years beginning on and after January 1, 2025, up to \$40,000 of military benefits. For purposes of this subdivision *b*, "military benefits" means any (i) military retirement income received for service in the Armed Forces of the United States, (ii) qualified military benefits received pursuant to § 134 of the Internal Revenue Code, (iii) benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States under the Survivor Benefit Plan program established by the U.S. Department of Defense, and (iv) military benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States. The subtraction allowed by this subdivision *b* shall be allowed only for military benefits received by an individual age 55 or older. No subtraction shall be allowed pursuant to this subdivision *b* if a credit, exemption, subtraction, or deduction is claimed for the same income pursuant to subdivision *a* or any other provision of Virginia or federal law.

19. Items of income attributable to, derived from, or in any way related to (i) assets stolen from, hidden from, or otherwise lost by an individual who was a victim or target of Nazi persecution or (ii) damages, reparations, or other consideration received by a victim or target of Nazi persecution to compensate such individual for performing labor against his will under the threat of death, during World War II and its prelude and direct aftermath. This subtraction shall not apply to assets acquired with such items of income or with the proceeds from the sale of assets stolen from, hidden from, or otherwise lost to, during World War II and its prelude and direct aftermath, a victim or target of Nazi persecution. The provisions of this subdivision shall only apply to an individual who was the first recipient of such items of income and who was a victim or target of Nazi persecution, or a spouse, surviving spouse, or child or stepchild of such victim.

As used in this subdivision:

"Nazi regime" means the country of Nazi Germany, areas occupied by Nazi Germany, those European countries allied with Nazi Germany, or any other neutral European country or area in Europe under the influence or threat of Nazi invasion.

"Victim or target of Nazi persecution" means any individual persecuted or targeted for persecution by the Nazi regime who had assets stolen from, hidden from, or otherwise lost as a result of any act or omission in any way relating to (i) the Holocaust, (ii) World War II and its prelude and direct aftermath, (iii) transactions with or actions of the Nazi regime, (iv) treatment of refugees fleeing Nazi persecution, or (v) the holding of such assets by entities or persons in the Swiss Confederation during World War II and its prelude and aftermath. A "victim or target of Nazi persecution" also includes any individual forced into labor against his will, under the threat of death, during World War II and its prelude and direct aftermath.

20. The military death gratuity payment made after September 11, 2001, to the survivor of deceased military personnel killed in the line of duty, pursuant to 10 U.S.C. Chapter 75; however, the subtraction amount shall be reduced dollar-for-dollar by the amount that the survivor may exclude from his federal gross income in accordance with § 134 of the Internal Revenue Code.

21. The death benefit payments from an annuity contract that are received by a beneficiary of such contract, provided that (i) the death benefit payment is made pursuant to an annuity contract with an insurance company and (ii) the death benefit payment is paid solely by lump sum. The subtraction under this subdivision shall be allowed only for that portion of the death benefit payment that is included in federal adjusted gross income.

22. Any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals with the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. Any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. Any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income shall be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided that the business has its principal office or facility in the Commonwealth and less than \$3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment shall be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. For taxable years beginning on and after January 1, 2014, any income of an account holder for the taxable year taxed as (i) a capital gain for federal income tax purposes attributable to such person's first-time home buyer savings account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 and (ii) interest income or other income for federal income tax purposes attributable to such person's first-time home buyer savings account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any subtraction taken under this subdivision shall be subject to recapture in the taxable year or years in which moneys or funds withdrawn from the first-time home buyer savings account were used for any purpose other than the payment of eligible costs by or on behalf of a qualified beneficiary, as provided under § 36-174. The amount subject to recapture shall be a portion of the amount withdrawn in the taxable year that was used for other than the payment of eligible costs, computed by multiplying the amount withdrawn and used for other than the payment of eligible costs by the ratio of the aggregate earnings in the account at the time of the withdrawal to the total balance in the account at such time. However, recapture shall not apply to the extent of moneys or funds withdrawn that were (i) withdrawn by reason of the qualified beneficiary's death or disability; (ii) a disbursement of assets of the account pursuant to a filing for protection under the United States Bankruptcy Code, 11 U.S.C. §§ 101 through 1330; or (iii) transferred from an account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 into another account established pursuant to such chapter for the benefit of another qualified beneficiary. For purposes of this subdivision, "account holder," "eligible costs," "first-time home buyer savings account," and "qualified beneficiary" mean the same as those terms are defined in § 36-171.

26. For taxable years beginning on and after January 1, 2015, any income for the taxable year attributable to the discharge of a student loan solely by reason of the student's death. For purposes of this subdivision, "student loan" means the same as that term is defined under § 108(f) of the Internal Revenue Code.

27. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 27:

"Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment. "Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a similar field of study. The Department may require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

28. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or 27 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 28:

"Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust. In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

29. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

30. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to \$100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

**18. § 1. Programs offered to children who reside at a private school accredited by the Virginia Council for Private Education, which is located West of Sandy Ridge and on the watersheds of Big Sandy River, and to which no contributions are made by the Commonwealth or any agency thereof, shall not be required to obtain a licensure pursuant to Title 63.2 and Title 22.1 of the Code of Virginia. Such programs shall be subject to the safety and supervisory standards established for such school by the Virginia Council for Private Education.**

**19. That § 22.1-349.1 of the Code of Virginia is amended and reenacted as follows:**

**§ 22.1-349.1. Definitions; objectives.**

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

"At-risk student" means a student having a physical, emotional, intellectual, socioeconomic, or cultural risk factor, as defined in Board criteria, that research indicates may negatively influence educational success.

"College partnership laboratory school" means a public, nonsectarian, nonreligious school in the Commonwealth established by a public institution of higher education ~~or private institution of; public higher education that operates a teacher education program approved by the Board center, institute, or authority; or an eligible institution as defined in § 23.1-628. Notwithstanding the provisions of § 22.1-349.5, a public institution of higher education; a public higher education center, institute, or authority; or an eligible institution as defined in § 23.1-628 may submit an application for formation of a college partnership laboratory school.~~

"Governing board" means the board of a college partnership laboratory school that is responsible for creating, managing, and operating the college partnership laboratory school and whose members have been selected by the institution of higher education that establishes

the college partnership laboratory school. The governing board shall be under the control of the institution of higher education that establishes the college partnership laboratory school.

B. College partnership laboratory schools may be established as provided in this chapter to (i) stimulate the development of innovative programs for preschool through grade 12 students; (ii) provide opportunities for innovative instruction and assessment; (iii) provide teachers with a vehicle for establishing schools with alternative innovative instruction and school scheduling, management, and structure; (iv) encourage the use of performance-based educational programs; (v) establish high standards for both teachers and administrators; (vi) encourage greater collaboration between education providers from preschool to the postsecondary level; and (vii) develop models for replication in other public schools.

**20. That the provisions of the fifth enactment of this Act shall apply beginning January 1, 2023.**

**21. That the provisions of the first enactment of this act shall expire at midnight on June 30, 2024.**

**22. That the provisions of the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth enactments of this act shall have no expiration date.**

---



---

**INDEX**


---



---

	<b>Page</b>
PART 1: OPERATING EXPENSES.....	449
PART 2: CAPITAL PROJECT EXPENSES.....	1005
PART 3: MISCELLANEOUS.....	1033
PART 4: GENERAL PROVISIONS.....	1049

---

**Index, PART 1: OPERATING EXPENSES**


---

<b>Agency Name</b>	<b>Agency Code</b>	<b>Page</b>
Accounts Transfer Payments, Department of (DOATP).....	(162)	728
Accounts, Department of (DOA).....	(151)	724
Administration of Health Insurance (AHI).....	(149)	520
Agricultural Council (VAC).....	(307)	537
Agriculture and Consumer Services, Department of (VDACS).....	(301)	530
Attorney General and Department of Law (OAG).....	(141)	487
Auditor of Public Accounts (APA).....	(133)	457
Aviation, Department of (DOAV).....	(841)	938
Behavioral Health and Developmental Services, Department of (DBHDS).....	(720)	814
Behavioral Health Commission (BHC).....	(882)	465
Blind and Vision Impaired, Department for the (DBVI).....	(702)	862
Board of Accountancy (BOA).....	(226)	748
Board of Bar Examiners (BBE).....	(233)	482
Brown v. Board of Education Scholarship Committee (BBEDS).....	(858)	462
Capitol Square Preservation Council (CSPC).....	(820)	460
Central Appropriations (CA).....	(995)	968
Chesapeake Bay Commission (CBC).....	(842)	465
Children's Services Act (CSA).....	(200)	753
Christopher Newport University (CNU).....	(242)	647
Circuit Courts (CCV).....	(113)	477
Combined District Courts (CDC).....	(116)	480
Commission on the May 31, 2019 Virginia Beach Mass Shooting (CMVBMS).....	(879)	463
Commission on the Virginia Alcohol Safety Action Program (VASAP).....	(413)	458
Commission to Study Slavery and Subsequent De Jure and De Facto Racial and Economic Discrimination Against African Americans (CSDJDFREDA).....	(880)	465
Commissioners for the Promotion of Uniformity of Legislation in the United States (CPUL).....	(145)	461
Commonwealth's Attorneys' Services Council (CASC).....	(957)	895
Compensation Board (CB).....	(157)	493
Conservation and Recreation, Department of (DCR).....	(199)	872
Cooperative Extension and Agricultural Research Services (VSU/ CEAR).....	(234)	709
Corrections, Department of (DOC).....	(799)	897
Court of Appeals of Virginia (CAV).....	(125)	476
Criminal Justice Services, Department of (DCJS).....	(140)	906
Deaf and Hard-Of-Hearing, Department for the (VDDHH).....	(751)	757
Department for Aging and Rehabilitative Services (DARS).....	(262)	835
Direct Aid to Public Education (DOE/ DAPE).....	(197)	581
Division of Capitol Police (DCP).....	(961)	459
Division of Debt Collection (DDC).....	(143)	489
Division of Legislative Automated Systems (DLAS).....	(109)	459



Division of Legislative Services ( <b>DLS</b> ).....	(107).....	460
Dr. Martin Luther King, Jr. Memorial Commission ( <b>MLKMC</b> ).....	(845).....	461
Eastern Virginia Medical School ( <b>EVMS</b> ).....	(274).....	716
Economic Development Incentive Payments ( <b>EDIP</b> ).....	(312).....	540
Education, Central Office Operations, Department of ( <b>DOE/ COO</b> ).....	(201).....	570
Elections, Department of ( <b>ELECT</b> ).....	(132).....	522
Emergency Management, Department of ( <b>DEM</b> ).....	(127).....	915
Energy, Department of ( <b>DNRG</b> ).....	(409).....	555
Environmental Quality, Department of ( <b>DEQ</b> ).....	(440).....	879
Fire Programs, Department of ( <b>DFP</b> ).....	(960).....	921
Forensic Science, Department of ( <b>DFS</b> ).....	(778).....	922
Forestry, Department of ( <b>DOF</b> ).....	(411).....	535
Fort Monroe Authority ( <b>FMA</b> ).....	(360).....	559
Frontier Culture Museum of Virginia ( <b>FCMV</b> ).....	(239).....	710
Game and Inland Fisheries, Department of ( <b>DGIF</b> ).....	(403).....	885
General Assembly of Virginia ( <b>GAV</b> ).....	(101).....	449
General District Courts ( <b>GDC</b> ).....	(114).....	478
General Services, Department of ( <b>DGS</b> ).....	(194).....	512
George Mason University ( <b>GMU</b> ).....	(247).....	656
Grants to Localities ( <b>DBDHS/GL</b> ).....	(790).....	824
Gunston Hall ( <b>GH</b> ).....	(417).....	710
Health Professions, Department of ( <b>DHP</b> ).....	(223).....	776
Health, Department of ( <b>VDH</b> ).....	(601).....	758
Historic Resources, Department of ( <b>DHR</b> ).....	(423).....	887
Housing and Community Development, Department of ( <b>DHCD</b> ).....	(165).....	543
Human Resource Management, Department of ( <b>DHRM</b> ).....	(129).....	517
Indigent Defense Commission ( <b>IDC</b> ).....	(848).....	482
Institute for Advanced Learning and Research ( <b>IALR</b> ).....	(885).....	718
Intellectual Disabilities Training Centers ( <b>IDTC</b> ).....	(793).....	832
Interstate Organization Contributions ( <b>IOC</b> ).....	(921).....	492
James Madison University ( <b>JMU</b> ).....	(216).....	659
Jamestown 2007 ( <b>JYCOM</b> ).....	(400).....	711
Jamestown-Yorktown Foundation ( <b>JYF</b> ).....	(425).....	710
Joint Commission on Health Care ( <b>JCHC</b> ).....	(844).....	465
Joint Commission on Technology and Science ( <b>JCOTS</b> ).....	(847).....	461
Joint Legislative Audit and Review Commission ( <b>JLARC</b> ).....	(110).....	466
Judicial Inquiry and Review Commission ( <b>JIRC</b> ).....	(112).....	482
Juvenile and Domestic Relations District Courts ( <b>JDRC</b> ).....	(115).....	479
Juvenile Justice, Department of ( <b>DJJ</b> ).....	(777).....	923
Labor and Industry, Department of ( <b>DOLI</b> ).....	(181).....	866
Legislative Department Reversion Clearing Account ( <b>LDRCA</b> ).....	(102).....	471
Lieutenant Governor ( <b>LTGOV</b> ).....	(119).....	486
Longwood University ( <b>LU</b> ).....	(214).....	662
Magistrate System ( <b>MAG</b> ).....	(103).....	481
Marine Resources Commission ( <b>MRC</b> ).....	(402).....	891
Medical Assistance Services, Department of ( <b>DMAS</b> ).....	(602).....	776
Mental Health Treatment Centers ( <b>MHTC</b> ).....	(792).....	830
Military Affairs, Department of ( <b>DMA</b> ).....	(123).....	965
Motor Vehicle Dealer Board ( <b>MVDB</b> ).....	(506).....	956
Motor Vehicles Transfer Payments, Department of ( <b>DMVTP</b> ).....	(530).....	942

Motor Vehicles, Department of ( <b>DMV</b> ).....	(154).....	940
New College Institute ( <b>NCI</b> ).....	(938).....	717
Norfolk State University ( <b>NSU</b> ).....	(213).....	664
Office of the Governor ( <b>GOV</b> ).....	(121).....	485
Office of the State Inspector General ( <b>OSIG</b> ).....	(147).....	491
Old Dominion University ( <b>ODU</b> ).....	(221).....	666
Online Virginia Network Authority ( <b>OVN</b> ).....	(244).....	721
Planning and Budget, Department of ( <b>DPB</b> ).....	(122).....	732
Professional and Occupational Regulation, Department of ( <b>DPOR</b> ).....	(222).....	868
Radford University ( <b>RU</b> ).....	(217).....	670
Rail and Public Transportation, Department of ( <b>DRPT</b> ).....	(505).....	944
Richard Bland College ( <b>RBC</b> ).....	(241).....	651
Roanoke Higher Education Authority ( <b>RHEA</b> ).....	(935).....	718
Secretary of Administration ( <b>SOA</b> ).....	(180).....	493
Secretary of Agriculture and Forestry ( <b>OSAF</b> ).....	(193).....	530
Secretary of Commerce and Trade ( <b>SCT</b> ).....	(192).....	540
Secretary of Education ( <b>SOE</b> ).....	(185).....	570
Secretary of Finance ( <b>SFIN</b> ).....	(190).....	724
Secretary of Health and Human Resources ( <b>SHHR</b> ).....	(188).....	750
Secretary of Labor ( <b>SL</b> ).....	(195).....	866
Secretary of Natural and Historic Resources ( <b>SNHR</b> ).....	(183).....	872
Secretary of Public Safety and Homeland Security ( <b>SPSHS</b> ).....	(187).....	894
Secretary of the Commonwealth ( <b>SOC</b> ).....	(166).....	490
Secretary of Transportation ( <b>STO</b> ).....	(186).....	935
Secretary of Veterans and Defense Affairs ( <b>SVDA</b> ).....	(454).....	961
Small Business and Supplier Diversity, Department of ( <b>DSBSD</b> ).....	(350).....	557
Social Services, Department of ( <b>DSS</b> ).....	(765).....	842
Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC ( <b>JSA</b> ).....	(936).....	720
Southern Virginia Higher Education Center ( <b>SVHEC</b> ).....	(937).....	719
Southwest Virginia Higher Education Center ( <b>SWHEC</b> ).....	(948).....	720
State Corporation Commission ( <b>SCC</b> ).....	(171).....	996
State Council of Higher Education for Virginia ( <b>SCHEV</b> ).....	(245).....	637
State Grants to Nonstate Entities-Nonstate Agencies ( <b>GNSA</b> ).....	(986).....	1004
State Police, Department of ( <b>VSP</b> ).....	(156).....	928
Supreme Court ( <b>SUPCT</b> ).....	(111).....	473
Taxation, Department of ( <b>TAX</b> ).....	(161).....	733
The College of William and Mary in Virginia ( <b>CWM</b> ).....	(204).....	648
The Library Of Virginia ( <b>LVA</b> ).....	(202).....	712
The Science Museum of Virginia ( <b>SMV</b> ).....	(146).....	714
Transportation Transfer Payments, Department of ( <b>DOTTP</b> ).....	(503).....	956
Transportation, Department of ( <b>VDOT</b> ).....	(501).....	946
Treasury Board ( <b>TB</b> ).....	(155).....	743
Treasury, Department of the ( <b>TD</b> ).....	(152).....	740
University of Mary Washington ( <b>UMW</b> ).....	(215).....	672
University of Virginia ( <b>UVA/AD</b> ).....	(207).....	675
University of Virginia Medical Center ( <b>UVAH</b> ).....	(209).....	679
University of Virginia's College at Wise ( <b>UVA/CW</b> ).....	(246).....	680
Veterans Services Foundation ( <b>VSF</b> ).....	(913).....	965
Veterans Services, Department of ( <b>DVS</b> ).....	(912).....	962
Virginia Alcoholic Beverage Control Authority ( <b>ABC</b> ).....	(999).....	895

Virginia Board for People with Disabilities ( <b>VBPD</b> ).....	(606).....	861
Virginia Cannabis Control Authority ( <b>VCCA</b> ).....	(977).....	896
Virginia Center for Behavioral Rehabilitation ( <b>VCBR</b> ).....	(794).....	834
Virginia Code Commission ( <b>VCC</b> ).....	(108).....	461
Virginia College Building Authority ( <b>VCBA</b> ).....	(941).....	721
Virginia College Savings Plan ( <b>VCSP</b> ).....	(174).....	998
Virginia Commercial Space Flight Authority ( <b>VCSFA</b> ).....	(509).....	938
Virginia Commission for the Arts ( <b>VCA</b> ).....	(148).....	715
Virginia Commission on Intergovernmental Cooperation ( <b>VCIC</b> ).....	(105).....	471
Virginia Commission on Youth ( <b>VCOY</b> ).....	(839).....	466
Virginia Commonwealth University ( <b>VCU/AD</b> ).....	(236).....	682
Virginia Community College System ( <b>VCCS</b> ).....	(260).....	687
Virginia Conflict of Interest & Ethics Advisory Council ( <b>VCIEAC</b> ).....	(876).....	463
Virginia Cooperative Extension and Agricultural Experiment Station ( <b>VPISU /CE</b> ).....	(229).....	705
Virginia Criminal Sentencing Commission ( <b>VCSC</b> ).....	(160).....	483
Virginia Economic Development Partnership ( <b>VEDP</b> ).....	(310).....	559
Virginia Employment Commission ( <b>VEC</b> ).....	(182).....	869
Virginia Freedom of Information Advisory Council ( <b>FIAC</b> ).....	(834).....	462
Virginia Housing Commission ( <b>VHC</b> ).....	(840).....	462
Virginia Information Technologies Agency ( <b>VITA</b> ).....	(136).....	524
Virginia Innovation Partnership Authority ( <b>VIPA</b> ).....	(309).....	564
Virginia Institute of Marine Science ( <b>VIMS</b> ).....	(268).....	654
Virginia Lottery ( <b>VAL</b> ).....	(172).....	997
Virginia Management Fellows Program Administration ( <b>VMFPA</b> ).....	(164).....	521
Virginia Military Institute ( <b>VMI</b> ).....	(211).....	699
Virginia Museum of Fine Arts ( <b>VMFA</b> ).....	(238).....	716
Virginia Museum of Natural History ( <b>VMNH</b> ).....	(942).....	715
Virginia Parole Board ( <b>VPB</b> ).....	(766).....	933
Virginia Passenger Rail Authority ( <b>VPRA</b> ).....	(522).....	943
Virginia Polytechnic Institute and State University ( <b>VPISU/ID</b> ).....	(208).....	701
Virginia Port Authority ( <b>VPA</b> ).....	(407).....	957
Virginia Racing Commission ( <b>VRC</b> ).....	(405).....	537
Virginia Rehabilitation Center for the Blind and Vision Impaired ( <b>VRCBVI</b> ).....	(263).....	864
Virginia Retirement System ( <b>VRS</b> ).....	(158).....	1000
Virginia School for the Deaf and the Blind ( <b>VSDB</b> ).....	(218).....	636
Virginia State Bar ( <b>VSBB</b> ).....	(117).....	483
Virginia State Crime Commission ( <b>VSCC</b> ).....	(142).....	466
Virginia State University ( <b>VSU</b> ).....	(212).....	706
Virginia Tourism Authority ( <b>VTA</b> ).....	(320).....	562
Virginia Workers' Compensation Commission ( <b>VWC</b> ).....	(191).....	1002
Virginia-Israel Advisory Board ( <b>VIAB</b> ).....	(330).....	463
Wilson Workforce and Rehabilitation Center ( <b>WWRC</b> ).....	(203).....	841

---

**Index, PART 2: CAPITAL PROJECT EXPENSES**

---

Agency Name	Agency Code	Page
9(C) Revenue Bonds ( <b>RBNC</b> ).....	(950).....	1030
9(D) Revenue Bonds ( <b>RBND</b> ).....	(951).....	1031
Central Capital Outlay ( <b>CCO</b> ).....	(949).....	1023
Conservation and Recreation, Department of ( <b>DCR</b> ).....	(199).....	1017
Corrections, Department of ( <b>DOC</b> ).....	(799).....	1020
Forestry, Department of ( <b>DOF</b> ).....	(411).....	1012

Game and Inland Fisheries, Department of (DGIF).....	(403).....	1019
General Services, Department of (DGS).....	(194).....	1011
George Mason University (GMU).....	(247).....	1013
Gunston Hall (GH).....	(417).....	1016
James Madison University (JMU).....	(216).....	1013
Jamestown-Yorktown Foundation (JYF).....	(425).....	1016
Military Affairs, Department of (DMA).....	(123).....	1022
Motor Vehicles, Department of (DMV).....	(154).....	1020
Norfolk State University (NSU).....	(213).....	1014
Old Dominion University (ODU).....	(221).....	1014
Radford University (RU).....	(217).....	1014
Roanoke Higher Education Authority (RHEA).....	(935).....	1017
State Police, Department of (VSP).....	(156).....	1020
The College of William and Mary in Virginia (CWM).....	(204).....	1013
Transportation, Department of (VDOT).....	(501).....	1021
University of Mary Washington (UMW).....	(215).....	1014
Veterans Services, Department of (DVS).....	(912).....	1022
Virginia Cooperative Extension and Agricultural Experiment Station (VPISU /CE).....	(229).....	1015
Virginia Military Institute (VMI).....	(211).....	1015
Virginia Museum of Fine Arts (VMFA).....	(238).....	1017
Virginia Polytechnic Institute and State University (VPISU/ID).....	(208).....	1015
Virginia Port Authority (VPA).....	(407).....	1021
Virginia State University (VSU).....	(212).....	1016
Virginia Workers' Compensation Commission (VWC).....	(191).....	1032

---

**Index, PART 3: MISCELLANEOUS**

---

	<b>Page</b>
Adjustments and Modifications to Fees.....	1048
Adjustments and Modifications to Tax Collections.....	1041
Admissions Tax.....	1043
Advances to Working Capital Funds.....	1039
Annual Vehicle Registration Fee (\$6.25 for Life).....	1048
Assessment of Electronic Summons Fee by Localities.....	1048
Auxiliary Enterprise Investment Yields.....	1041
Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education.....	1041
Charges Against Working Capital Funds.....	1039
Cigarette Tax, Tobacco Products Tax and Tax on Liquid Nicotine.....	1046
Deduction for Able Act Contributions.....	1042
Discounts and Allowances.....	1042
Disposition of Excess Fees Collected by Clerks of the Circuit Courts.....	1042
Drivers License Reinstatement Fee.....	1048

Food Crop Donation Tax Credit.....1047

General Fund Deposits.....1041

Historic Preservation Tax Credit.....1046

Implementation of Chapter 3, Acts of Assembly of 2004, Special Session I.....1041

Individual Income Tax Rebate.....1047

Intangible Holding Company Addback.....1042

Interagency Transfers.....1038

Interfund Transfers.....1033

Land Preservation Tax Credit Claimed.....1046

Lines of Credit.....1039

Neighborhood Assistance Act Tax Credit.....1046

Payment by the State Treasurer.....1041

Payment of Auto Rental Tax to the General Fund.....1041

Procedures for Prepayment of Civil Penalties in An Executive Order.....1048

Provider Coverage Assessment.....1043

Provider Payment Rate Assessment.....1045

Recordation Tax Fee.....1048

Regional Fuels Tax.....1042

Retail Sales & Use Tax Exemption for Internet Service Providers.....1042

Retail Sales and Use Tax Exemption for Certain Drilling Equipment.....1047

Retail Sales and Use Tax Exemption for Donated Educational Materials.....1047

Retail Sales and Use Tax Exemption for Research for Federally Funded Research and Development Centers.....1043

Retaliatory Costs to other States Tax Credit.....1041

Sales and Use Tax Holiday for Certain School Supplies, Hurricane Preparedness Equipment, and Energy Savings Equipment.... 1047

Sales Tax Commitment to Highway Maintenance and Operating Fund.....1042

Short-term Advance to the General Fund from Nongeneral Funds.....1039

Sunset Dates for Income Tax Credits and Sales and Use Tax Exemptions.....1043

Tobacco Tax Study.....1046

Transfers.....1033

Working Capital Funds and Lines of Credit.....1039

---

**Index, PART 4: GENERAL PROVISIONS**

---

	<b>Page</b>
Allotments.....	1056
Appropriation Increases.....	1053
Appropriation Transfers.....	1052
Appropriations.....	1050
Assessment of Institutional Performance.....	1099
Capital Projects.....	1064
Charges.....	1092
Conflict with other Laws.....	1104
Deficit Authorization and Treasury Loans.....	1061

Deficits.....1061  
 Delegation of Authority.....1078  
 Disposition of Surplus Real Property.....1080

Effective Date.....1104  
 Employee Benefits.....1091  
 Employee Compensation.....1081  
 Employee Training and Study.....1091

General.....1064  
 General Fund Revenue.....1059  
 Goods and Services.....1075  
 Governor.....1095

Higher Education Restructuring.....1099

Implement JLARC Recommendations.....1103  
 Indirect Costs.....1060

Lease, License or Use Agreements.....1079  
 Level II Authority.....1102  
 Level III Authority.....1103  
 Limited Adjustments of Appropriations.....1056  
 Local Governments.....1098  
 Long-term Leases.....1063

Manpower Control Program.....1093

Nongeneral Fund Revenues.....1056  
 Nonstate Agencies, Interstate Compacts and Organizational Memberships.....1078

Operating Policies.....1049  
 Operating Policies.....1049

Planning and Budgeting.....1069  
 Positions and Employment.....1081  
 Positions Governed by Chapters 933 and 943 of the 2006 Acts of Assembly.....1093  
 Prerequisites for Payment.....1050

Reporting Requirements.....1095  
 Revenues.....1056  
 Reversion of Appropriations and Reappropriations.....1055

Seat of Government Traffic and Pedestrian Safety.....1081  
 Selection of Applicants for Classified Positions.....1093  
 Semiconductor Manufacturing Performance Grant Programs.....1079  
 Services and Clients.....1073  
 Severability.....1104  
 Special Conditions and Restrictions on Expenditures.....1070  
 State Agencies.....1097  
 Statement of Financial Condition.....1104  
 Statewide Plans.....1093  
 Surplus Property Transfers for Economic Development.....1080

Third Party Transactions.....1072  
 Transactions with Individuals.....1070  
 Treasury Loans.....1062

Withholding of Spending Authority.....1050

**Index, CODE OF VIRGINIA SECTION REFERENCES**

Title 1 GENERAL PROVISIONS

Section	Page
§ 1-230.....	942
§ 1-610.....	667

Title 2.2 ADMINISTRATION OF GOVERNMENT

Section	Page
§ 2.2-104.....	1078
§ 2.2-115.....	540,1120
§ 2.2-120.....	516
§ 2.2-200.....	750,1081
§ 2.2-201.....	540,724,872,894,935
§ 2.2-203.1.....	1096
§ 2.2-203.2.4.....	493
§ 2.2-203.3.....	530
§ 2.2-205.2.....	551
§ 2.2-206.2.....	469
§ 2.2-208.....	570,675
§ 2.2-214.2.....	866
§ 2.2-221.1.....	894
§ 2.2-222.....	925
§ 2.2-224.1.....	929
§ 2.2-400.....	490,1081
§ 2.2-401.01.....	490
§ 2.2-409.....	490
§ 2.2-424.....	463
§ 2.2-435.....	490
§ 2.2-507.....	740
§ 2.2-510.....	740,982,1096
§ 2.2-510.1.....	1072
§ 2.2-514.....	785,1070
§ 2.2-518.....	489
§ 2.2-803.....	3,680,955,1073,1076
§ 2.2-806.....	505
§ 2.2-813.....	729,734
§ 2.2-1101.....	1073
§ 2.2-1104.....	512
§ 2.2-1105.....	512
§ 2.2-1124.....	1060
§ 2.2-1125.....	1054,1055,1060
§ 2.2-1129.....	1030,1081
§ 2.2-1131.1.....	1097
§ 2.2-1132.....	1028,1065,1069
§ 2.2-1149.....	687,1029,1057,1080
§ 2.2-1150.....	877,1080
§ 2.2-1151.....	1064
§ 2.2-1153.....	1080,1097
§ 2.2-1155.....	1068
§ 2.2-1156.....	513,815,816,819,887,1037,1038,1068,1080
§ 2.2-1176.....	516
§ 2.2-1201.....	1089,1095
§ 2.2-1204.....	520,728
§ 2.2-1501.....	1074
§ 2.2-1502.1.....	578
§ 2.2-1503.....	733,1051,1052
§ 2.2-1505.....	3,720,938,1078
§ 2.2-1508.....	732
§ 2.2-1509.....	3,526,1074
§ 2.2-1509.3.....	526
§ 2.2-1509.4.....	531,876,888
§ 2.2-1514.....	1038
§ 2.2-1515.....	1065
§ 2.2-1516.....	562,1027
§ 2.2-1603.....	558
§ 2.2-1604.....	558
§ 2.2-1611.....	541
§ 2.2-1616.....	557

§ 2.2-1802.....	686,1057
§ 2.2-1819.....	1056
§ 2.2-1822.....	725
§ 2.2-1829.....	457,729,730,1036
§ 2.2-1831.3.....	730
§ 2.2-2001.5.....	1116
§ 2.2-2006.....	1075,1076
§ 2.2-2007.....	526
§ 2.2-2012.....	459
§ 2.2-2013.....	525,1073
§ 2.2-2017.....	526
§ 2.2-2020.....	493
§ 2.2-2104.....	537
§ 2.2-2236.1.....	561
§ 2.2-2237.1.....	561
§ 2.2-2237.3.....	561
§ 2.2-2238.....	561
§ 2.2-2261.....	745
§ 2.2-2285.....	558
§ 2.2-2290.....	557
§ 2.2-2291.....	558
§ 2.2-2320.....	541
§ 2.2-2320.1.....	542
§ 2.2-2320.2.....	564
§ 2.2-2338.....	559
§ 2.2-2342.....	559
§ 2.2-2357.....	566
§ 2.2-2359.....	566
§ 2.2-2402.....	904,954
§ 2.2-2416.....	1064
§ 2.2-2417.....	1068,1069,1079
§ 2.2-2472.....	571
§ 2.2-2487.....	549
§ 2.2-2489.....	549
§ 2.2-2648.....	756
§ 2.2-2715.....	965
§ 2.2-2718.....	965
§ 2.2-2813.....	455,998
§ 2.2-2818.....	520,971,1091,1094
§ 2.2-2823.....	450
§ 2.2-2825.....	455
§ 2.2-3106.....	490
§ 2.2-3204.....	973
§ 2.2-3205.....	973
§ 2.2-3605.....	1092
§ 2.2-3700.....	467,468,469,470,551
§ 2.2-3701.....	468,469,470,559
§ 2.2-3707.....	1049
§ 2.2-3707.1.....	1049
§ 2.2-3708.....	559
§ 2.2-3708.2.....	1049
§ 2.2-3800.....	528,1100
§ 2.2-3801.....	493
§ 2.2-3815.....	645
§ 2.2-4000.....	742,765,859,1043,1047,1105,1112
§ 2.2-4002.....	774,781
§ 2.2-4006.....	880
§ 2.2-4011.....	784
§ 2.2-4014.....	1112
§ 2.2-4019.....	785
§ 2.2-4020.....	785
§ 2.2-4025.....	473
§ 2.2-4031.....	1112
§ 2.2-4300.....	459,714,716,1049,1103
§ 2.2-4301.....	1079
§ 2.2-4302.2.....	1103
§ 2.2-4311.....	712



§ 2.2-4315.....	712
§ 2.2-4330.....	712
§ 2.2-4333.....	712
§ 2.2-4338.....	712
§ 2.2-4340.....	712
§ 2.2-4342.....	712
§ 2.2-4343.....	1078
§ 2.2-4350.....	712
§ 2.2-4354.....	712
§ 2.2-4367.....	712
§ 2.2-4377.....	712
§ 2.2-4401.....	742
§ 2.2-4800.....	489,522,1049
§ 2.2-4806.....	869
§ 2.2-4809.....	737
§ 2.2-5004.....	1100
§ 2.2-5101.....	541
§ 2.2-5102.1.....	541
§ 2.2-5200.....	753
§ 2.2-5206.....	756
§ 2.2-5209.....	754
§ 2.2-5211.....	576,753,843
§ 2.2-5515.....	907

Title 3.2 AGRICULTURE, ANIMAL CARE, AND FOOD

Section	Page
§ 3.2-201.....	531
§ 3.2-303.....	532
§ 3.2-305.....	532
§ 3.2-2705.....	893,1059
§ 3.2-3005.....	531
§ 3.2-3012.....	531
§ 3.2-3100.....	779
§ 3.2-3104.....	969
§ 3.2-3106.....	969
§ 3.2-3108.....	969
§ 3.2-3305.....	532
§ 3.2-4114.2.....	533
§ 3.2-4115.....	533
§ 3.2-4200.....	487,488
§ 3.2-4201.....	969,1037
§ 3.2-4204.....	488
§ 3.2-4415.....	533
§ 3.2-4416.....	533
§ 3.2-4781.....	530
§ 3.2-4783.....	984
§ 3.2-5100.....	1117
§ 3.2-5145.1.....	1117
§ 3.2-5145.5.....	3,1112
§ 3.2-5206.....	774
§ 3.2-5216.....	774
§ 3.2-5600.....	533
§ 3.2-5627.....	1115
§ 3.2-5703.....	533
§ 3.2-6509.....	1114
§ 3.2-6512.....	1114
§ 3.2-6513.....	1114
§ 3.2-6513.1.....	1114
§ 3.2-6514.....	1114
§ 3.2-6515.....	1114
§ 3.2-6516.....	1114

Title 4.1 ALCOHOLIC BEVERAGE AND CANNABIS CONTROL

Section	Page
§ 4.1-100.....	895,896
§ 4.1-101.02.....	1087
§ 4.1-116.....	1033,1034
§ 4.1-120.....	896
§ 4.1-133.....	895,896
§ 4.1-234.....	1033
§ 4.1-600.....	1116

§ 4.1-601.....	896
§ 4.1-614.....	574
§ 4.1-1100.....	3,1112
§ 4.1-1101.....	3,1112,1113
§ 4.1-1503.....	896

Title 5.1 AVIATION

Section	Page
§ 5.1-4.....	939

Title 6.2 FINANCIAL INSTITUTIONS AND SERVICES

Section	Page
§ 6.2-312.....	1116
§ 6.2-1800.....	1115
§ 6.2-2000.....	1115
§ 6.2-2026.....	1116
§ 6.2-2200.....	1116
§ 6.2-2500.....	1116
§ 6.2-2600.....	1116

Title 8.01 CIVIL REMEDIES AND PROCEDURE

Section	Page
§ 8.01-40.2.....	1115
§ 8.01-195.11.....	741
§ 8.01-195.3.....	740
§ 8.01-216.1.....	489
§ 8.01-217.....	761
§ 8.01-227.8.....	1119
§ 8.01-384.1:1.....	478,479,480,481
§ 8.01-490.....	508
§ 8.01-582.....	505
§ 8.01-589.....	505

Title 8.2 COMMERCIAL CODE - SALES

Section	Page
§ 8.2-317.1.....	1116

Title 9.1 COMMONWEALTH PUBLIC SAFETY

Section	Page
§ 9.1-101.....	911
§ 9.1-102.....	827,908,909
§ 9.1-110.....	910
§ 9.1-116.1.....	909
§ 9.1-139.....	914
§ 9.1-141.....	914
§ 9.1-143.....	914
§ 9.1-149.....	914
§ 9.1-149.1.....	1116
§ 9.1-165.....	914
§ 9.1-172.....	914
§ 9.1-173.....	910
§ 9.1-183.....	910
§ 9.1-187.....	827
§ 9.1-201.....	922
§ 9.1-206.....	922
§ 9.1-400.....	976,1001
§ 9.1-401.....	976
§ 9.1-408.....	1001
§ 9.1-903.....	511,915,932
§ 9.1-1100.....	922
§ 9.1-1101.1.....	923
§ 9.1-1113.....	922

Title 10.1 CONSERVATION

Section	Page
§ 10.1-104.....	875
§ 10.1-104.2.....	874
§ 10.1-104.7.....	874
§ 10.1-200.1.....	877
§ 10.1-202.....	877
§ 10.1-546.1.....	873

§ 10.1-552.....	875
§ 10.1-603.17.....	876,985
§ 10.1-603.25.....	1041
§ 10.1-603.29.....	1038
§ 10.1-605.....	1018
§ 10.1-702.....	876
§ 10.1-1020.....	876
§ 10.1-1124.....	535
§ 10.1-1188.....	1065
§ 10.1-1190.....	1065
§ 10.1-1237.....	560
§ 10.1-1300.....	512
§ 10.1-1322.....	882
§ 10.1-1400.....	512
§ 10.1-1422.3.....	879
§ 10.1-1424.3.....	879
§ 10.1-2128.....	875
§ 10.1-2128.1.....	874,875,1034,1048
§ 10.1-2129.....	874,875
§ 10.1-2132.....	874
§ 10.1-2202.1.....	887
§ 10.1-2202.2.....	889
§ 10.1-2202.4.....	888
§ 10.1-2211.....	1004
§ 10.1-2211.1.....	887
§ 10.1-2211.2.....	887,888,889
§ 10.1-2212.....	1004
§ 10.1-2213.....	887,1004
§ 10.1-2214.....	889

Title 11 CONTRACTS

<b>Section</b>	<b>Page</b>
§ 11-35.....	971

Title 13.1 CORPORATIONS

<b>Section</b>	<b>Page</b>
§ 13.1-301.....	558
§ 13.1-775.1.....	996

Title 15.2 COUNTIES, CITIES AND TOWNS

<b>Section</b>	<b>Page</b>
§ 15.2-540.....	1042
§ 15.2-639.....	1042
§ 15.2-848.....	1042
§ 15.2-941.....	559
§ 15.2-1302.....	510,615,617,914,1053
§ 15.2-1503.1.....	928
§ 15.2-1544.....	1001
§ 15.2-1604.....	489
§ 15.2-1605.....	510
§ 15.2-1609.1.....	495
§ 15.2-1613.....	498
§ 15.2-1615.1.....	498
§ 15.2-1627.1.....	502
§ 15.2-1628.....	502
§ 15.2-1629.....	502,504
§ 15.2-1630.....	502
§ 15.2-1631.....	502
§ 15.2-1636.12.....	500,501,502,507
§ 15.2-1636.17.....	500,501,507
§ 15.2-1636.5.....	1090
§ 15.2-1636.8.....	509
§ 15.2-1643.....	478,487
§ 15.2-1721.1.....	907
§ 15.2-2005.....	1080
§ 15.2-2114.....	458,884
§ 15.2-2502.....	733
§ 15.2-2602.....	728
§ 15.2-2659.....	612,728
§ 15.2-3500.....	510,914,1053
§ 15.2-4100.....	510,1053

§ 15.2-4207.....	547
§ 15.2-4600.....	951
§ 15.2-5914.....	729

Title 16.1 COURTS NOT OF RECORD

<b>Section</b>	<b>Page</b>
§ 16.1-69.1.....	479,480
§ 16.1-69.30.....	474
§ 16.1-69.33.....	474
§ 16.1-69.40:2.....	1048,1113
§ 16.1-69.48.....	475
§ 16.1-69.58.....	480
§ 16.1-137.....	479,480
§ 16.1-226.....	480
§ 16.1-233.....	924
§ 16.1-238.....	924
§ 16.1-246.....	923
§ 16.1-258.....	923
§ 16.1-273.....	924
§ 16.1-274.....	924
§ 16.1-278.8.....	926
§ 16.1-285.1.....	926
§ 16.1-286.....	923
§ 16.1-287.....	924
§ 16.1-291.....	923
§ 16.1-294.....	924
§ 16.1-295.....	923
§ 16.1-309.10.....	925
§ 16.1-309.2.....	925
§ 16.1-309.6.....	925
§ 16.1-309.7.....	925
§ 16.1-322.1.....	924,925
§ 16.1-334.....	480
§ 16.1-337.1.....	929
§ 16.1-338.....	775
§ 16.1-339.....	775
§ 16.1-340.1.....	775
§ 16.1-345.....	775

Title 17.1 COURTS OF RECORD

<b>Section</b>	<b>Page</b>
§ 17.1-100.....	475
§ 17.1-132.....	474
§ 17.1-275.12.....	911,1038
§ 17.1-278.....	484
§ 17.1-279.....	505,506
§ 17.1-283.....	505,1042
§ 17.1-284.....	505
§ 17.1-285.....	1042
§ 17.1-286.....	725
§ 17.1-287.....	506
§ 17.1-288.....	509
§ 17.1-290.....	509
§ 17.1-314.....	474
§ 17.1-320.....	474
§ 17.1-327.....	976,1002
§ 17.1-330.....	480
§ 17.1-502.....	474
§ 17.1-805.....	901

Title 18.2 CRIMES AND OFFENSES GENERALLY

<b>Section</b>	<b>Page</b>
§ 18.2-178.....	1116
§ 18.2-178.1.....	1116
§ 18.2-186.6.....	738
§ 18.2-239.....	1116
§ 18.2-248.....	901
§ 18.2-248.1.....	901,1113
§ 18.2-254.1.....	474,475
§ 18.2-266.....	940
§ 18.2-270.01.....	761

§ 18.2-271.1.....	458
§ 18.2-271.2.....	458
§ 18.2-272.....	940
§ 18.2-308.2:2.....	928
§ 18.2-325.....	3,1111
§ 18.2-334.6.....	3,1111,1112
§ 18.2-340.31.....	535
§ 18.2-340.35.....	932

Title 19.2 CRIMINAL PROCEDURE

Section	Page
§ 19.2-38.1.....	473
§ 19.2-43.....	473
§ 19.2-152.2.....	910
§ 19.2-152.7.....	910
§ 19.2-155.....	478
§ 19.2-163.....	473,476,477,478,479,480
§ 19.2-163.01.....	482
§ 19.2-163.8.....	482
§ 19.2-169.6.....	826
§ 19.2-176.....	826
§ 19.2-177.1.....	826
§ 19.2-182.2.....	929
§ 19.2-298.01.....	506
§ 19.2-316.4.....	900
§ 19.2-326.....	474
§ 19.2-349.....	502,503,505
§ 19.2-368.18.....	1002
§ 19.2-386.14.....	928
§ 19.2-387.....	928
§ 19.2-388.....	928
§ 19.2-389.....	760,929
§ 19.2-389.1.....	929

Title 20 DOMESTIC RELATIONS

Section	Page
§ 20-124.4.....	480

Title 22.1 EDUCATION

Section	Page
§ 22.1-3.4.....	594
§ 22.1-8.....	580
§ 22.1-16.....	579
§ 22.1-16.2.....	576
§ 22.1-17.1.....	576
§ 22.1-17.2.....	576
§ 22.1-18.01.....	576
§ 22.1-20.1.....	578
§ 22.1-21.....	580
§ 22.1-24.....	578,594
§ 22.1-25.....	598
§ 22.1-70.2.....	578
§ 22.1-79.1.....	599
§ 22.1-89.1.....	578
§ 22.1-97.....	601,602,632
§ 22.1-101.1.....	625
§ 22.1-108.....	594
§ 22.1-146.1.....	612
§ 22.1-153.....	612
§ 22.1-166.2.....	615,616
§ 22.1-168.....	612,615,616
§ 22.1-168.1.....	612,615,616
§ 22.1-175.1.....	1108
§ 22.1-175.5.....	631,633
§ 22.1-176.....	594
§ 22.1-198.....	594
§ 22.1-199.....	594
§ 22.1-199.1.....	578,594
§ 22.1-199.2.....	594
§ 22.1-199.4.....	576
§ 22.1-205.....	607

§ 22.1-206.....	576
§ 22.1-207.1.....	576
§ 22.1-207.3.....	578
§ 22.1-208.01.....	576
§ 22.1-209.2.....	576
§ 22.1-212.2.....	578
§ 22.1-212.2:2.....	594
§ 22.1-212.23.....	605
§ 22.1-213.....	575,594
§ 22.1-214.....	862
§ 22.1-217.....	862
§ 22.1-221.....	575,594
§ 22.1-223.....	571,594
§ 22.1-227.....	594
§ 22.1-237.....	594
§ 22.1-238.....	575
§ 22.1-241.....	575
§ 22.1-253.13:1.....	571,575,578,594
§ 22.1-253.13:2.....	601
§ 22.1-253.13:3.....	577,578,609
§ 22.1-253.13:8.....	575,578,594
§ 22.1-254.....	594,597
§ 22.1-254.01.....	594
§ 22.1-254.1.....	597
§ 22.1-254.2.....	571
§ 22.1-287.03.....	589
§ 22.1-289.05.....	572,573,591
§ 22.1-289.1.....	594,1108
§ 22.1-290.....	579
§ 22.1-290.01.....	579,584
§ 22.1-290.02.....	631
§ 22.1-290.1.....	579
§ 22.1-298.....	579
§ 22.1-298.1.....	579
§ 22.1-299.....	579,589,621
§ 22.1-299.2.....	579
§ 22.1-302.....	579
§ 22.1-303.....	579
§ 22.1-305.1.....	579
§ 22.1-305.2.....	579
§ 22.1-316.....	579
§ 22.1-318.....	579,594
§ 22.1-319.....	575
§ 22.1-332.....	575
§ 22.1-346.....	637
§ 22.1-349.....	637
§ 22.1-349.1.....	3,634,1120
§ 22.1-349.2.....	634
§ 22.1-349.5.....	1120

Title 23.1 INSTITUTIONS OF HIGHER EDUCATION; OTHER EDUCATIONAL AND CULTURAL INSTITUTIONS

Section	Page
§ 23.1-102.....	1095
§ 23.1-200.....	643
§ 23.1-203.....	643,1074
§ 23.1-206.....	644,1099,1102
§ 23.1-211.....	646
§ 23.1-219.....	643,720
§ 23.1-224.....	643
§ 23.1-306.....	644
§ 23.1-500.....	671
§ 23.1-506.....	667,965
§ 23.1-601.....	1049
§ 23.1-608.....	639,963
§ 23.1-614.....	758
§ 23.1-615.....	703,1070
§ 23.1-623.....	640
§ 23.1-624.....	640
§ 23.1-627.....	640
§ 23.1-628.....	638,1120

§ 23.1-629.....	643
§ 23.1-635.....	638
§ 23.1-700.....	1042,1107,1118
§ 23.1-701.....	999
§ 23.1-705.....	999
§ 23.1-903.4.....	643,644,992
§ 23.1-907.....	1100
§ 23.1-1001.....	1055
§ 23.1-1002.....	968,1055,1099
§ 23.1-1003.....	1102
§ 23.1-1006.....	1079
§ 23.1-1020.....	1093
§ 23.1-1106.....	562,1061
§ 23.1-1107.....	643
§ 23.1-1207.....	721
§ 23.1-1243.....	991,1028
§ 23.1-1244.....	993
§ 23.1-1302.....	1090
§ 23.1-1303.....	1055
§ 23.1-1304.....	645,1104
§ 23.1-1309.....	1096
§ 23.1-1310.....	674
§ 23.1-2506.....	700
§ 23.1-2704.....	709
§ 23.1-2911.2.....	691,993
§ 23.1-2912.....	690
§ 23.1-3129.1.....	720
§ 23.1-3203.....	710

Title 24.2 ELECTIONS

<b>Section</b>	<b>Page</b>
§ 24.2-108.....	524
§ 24.2-111.....	523
§ 24.2-306.....	522
§ 24.2-668.....	522
§ 24.2-712.....	522
§ 24.2-947.5.....	522

Title 27 FIRE PROTECTION

<b>Section</b>	<b>Page</b>
§ 27-55.....	928
§ 27-56.....	930
§ 27-94.....	922
§ 27-99.....	922

Title 28.2 FISHERIES AND HABITAT OF THE TIDAL WATERS

<b>Section</b>	<b>Page</b>
§ 28.2-108.....	892
§ 28.2-200.....	893
§ 28.2-208.....	1059
§ 28.2-302.3.....	1059
§ 28.2-542.....	892,1059
§ 28.2-550.....	892
§ 28.2-800.....	774
§ 28.2-825.....	774
§ 28.2-1206.....	1059

Title 29.1 WILDLIFE, INLAND FISHERIES AND BOATING

<b>Section</b>	<b>Page</b>
§ 29.1-101.....	886
§ 29.1-101.01.....	886
§ 29.1-113.....	885

Title 30 GENERAL ASSEMBLY

<b>Section</b>	<b>Page</b>
§ 30-19.1:4.....	483,905
§ 30-19.11.....	449
§ 30-19.12.....	451,455
§ 30-19.13.....	452
§ 30-19.20.....	449
§ 30-19.4.....	449,450

§ 30-34.1.....	454
§ 30-34.2:1.....	1030,1081
§ 30-257.....	462
§ 30-278.....	516
§ 30-309.....	962
§ 30-310.....	542,962
§ 30-347.....	787

Title 32.1 HEALTH

<b>Section</b>	<b>Page</b>
§ 32.1-2.....	768,774
§ 32.1-11.....	765,766
§ 32.1-11.1.....	761
§ 32.1-11.2.....	761
§ 32.1-11.3.....	774
§ 32.1-12.....	766
§ 32.1-23.....	774
§ 32.1-31.....	766
§ 32.1-35.....	761
§ 32.1-39.....	774
§ 32.1-42.....	774
§ 32.1-50.....	762
§ 32.1-73.....	761
§ 32.1-73.11.....	775
§ 32.1-77.....	765
§ 32.1-89.....	765
§ 32.1-90.....	765
§ 32.1-92.2.....	762
§ 32.1-102.1.....	763
§ 32.1-102.11.....	763
§ 32.1-102.4.....	764
§ 32.1-111.1.....	760
§ 32.1-111.16.....	760
§ 32.1-116.1.....	760
§ 32.1-116.3.....	760
§ 32.1-122.01.....	763
§ 32.1-122.08.....	763
§ 32.1-122.10.....	758
§ 32.1-122.5:1.....	758
§ 32.1-122.6:01.....	759
§ 32.1-122.6:04.....	759
§ 32.1-123.....	763
§ 32.1-126.....	1116
§ 32.1-138.5.....	763
§ 32.1-162.23.....	567
§ 32.1-162.28.....	731
§ 32.1-163.....	766,767,773
§ 32.1-165.....	766,767
§ 32.1-171.1.....	773
§ 32.1-176.....	766,767
§ 32.1-176.7.....	773
§ 32.1-198.....	766
§ 32.1-211.....	766
§ 32.1-212.....	774,1115
§ 32.1-245.....	774
§ 32.1-246.....	766,773
§ 32.1-246.1.....	773
§ 32.1-249.....	761
§ 32.1-273.....	761
§ 32.1-273.1.....	761
§ 32.1-276.....	761
§ 32.1-276.6.....	775
§ 32.1-277.....	761
§ 32.1-304.....	761
§ 32.1-313.....	785
§ 32.1-323.2.....	781
§ 32.1-324.3.....	806
§ 32.1-325.....	785
§ 32.1-325.1.....	785
§ 32.1-325.1:1.....	785
§ 32.1-330.1.....	806

§ 32.1-331.12.....	782,783
§ 32.1-352.....	1037
§ 32.1-354.....	969
§ 32.1-355.....	969
§ 32.1-360.....	969
§ 32.1-361.....	969
§ 32.1-361.1.....	969
§ 32.1-366.....	779
§ 32.1-367.....	779

Title 33.2 HIGHWAYS AND OTHER SURFACE TRANSPORTATION SYSTEMS

Section	Page
§ 33.2-214.....	946
§ 33.2-214.1.....	935,937,947,950
§ 33.2-232.....	949
§ 33.2-314.....	1081
§ 33.2-357.....	947
§ 33.2-358.....	945,948
§ 33.2-366.....	950
§ 33.2-369.....	948
§ 33.2-370.....	936
§ 33.2-371.....	936,952
§ 33.2-372.....	937
§ 33.2-502.....	937
§ 33.2-1010.....	1064
§ 33.2-1500.....	948
§ 33.2-1509.....	950,951
§ 33.2-1510.....	950
§ 33.2-1524.....	950
§ 33.2-1526.....	945,946
§ 33.2-1526.1.....	944,945
§ 33.2-1526.3.....	949
§ 33.2-1526.4.....	946
§ 33.2-1526.6.....	939
§ 33.2-1529.1.....	948
§ 33.2-1600.....	945,950
§ 33.2-1602.....	945,946
§ 33.2-1700.....	950
§ 33.2-1726.....	930
§ 33.2-1729.....	950
§ 33.2-1800.....	937
§ 33.2-1919.....	740
§ 33.2-1927.....	740
§ 33.2-2300.....	747,952
§ 33.2-2400.....	747,952
§ 33.2-2600.1.....	729,956
§ 33.2-2611.....	956
§ 33.2-3603.....	938

Title 35.1 HOTELS, RESTAURANTS, SUMMER CAMPS, AND CAMPGROUNDS

Section	Page
§ 35.1-1.....	766,774
§ 35.1-7.....	774
§ 35.1-9.....	774
§ 35.1-13.....	767
§ 35.1-14.....	767
§ 35.1-15.1.....	908
§ 35.1-16.....	767
§ 35.1-17.....	767
§ 35.1-26.....	766
§ 35.1-28.....	774

Title 36 HOUSING

Section	Page
§ 36-139.....	545
§ 36-142.....	544
§ 36-150.....	544
§ 36-155.....	984
§ 36-171.....	1119

§ 36-174.....	1119
---------------	------

Title 37.2 BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Section	Page
§ 37.2-304.....	832
§ 37.2-312.....	830,833
§ 37.2-319.....	832
§ 37.2-504.....	824
§ 37.2-605.....	824
§ 37.2-713.....	606,830,833
§ 37.2-805.....	775
§ 37.2-808.....	776,826
§ 37.2-809.....	479,480,775,776,826
§ 37.2-813.....	480,826
§ 37.2-815.....	826
§ 37.2-816.....	826
§ 37.2-817.....	826
§ 37.2-819.....	929
§ 37.2-900.....	750
§ 37.2-912.....	816

Title 38.2 INSURANCE

Section	Page
§ 38.2-316.1.....	997
§ 38.2-326.....	997
§ 38.2-400.....	736
§ 38.2-401.....	921
§ 38.2-403.....	736
§ 38.2-415.....	928
§ 38.2-3418.16.....	784
§ 38.2-3418.17.....	972
§ 38.2-5009.....	1072
§ 38.2-5601.....	737
§ 38.2-6604.....	997

Title 40.1 LABOR AND EMPLOYMENT

Section	Page
§ 40.1-49.4.....	867
§ 40.1-51.15.....	1059

Title 42.1 LIBRARIES

Section	Page
§ 42.1-60.....	473
§ 42.1-64.....	473

Title 44 MILITARY AND EMERGENCY LAWS

Section	Page
§ 44-93.1.....	966,1001,1053
§ 44-146.13.....	916
§ 44-146.16.....	1116
§ 44-146.17.....	916,1048,1049
§ 44-146.18.....	916
§ 44-146.18:2.....	1080
§ 44-146.18:7.....	920
§ 44-146.22.....	916
§ 44-146.28.....	486,916,919,1080
§ 44-146.28:1.....	916
§ 44-146.31.....	916
§ 44-146.40.....	916

Title 45.1 MINES AND MINING

Section	Page
§ 45.1-161.292:31.....	556
§ 45.1-161.58.....	555
§ 45.1-361.29.....	556

Title 45.2 MINES, MINERALS, AND ENERGY

Section	Page
§ 45.2-1703.....	1024

Title 46.2 MOTOR VEHICLES

<b>Section</b>	<b>Page</b>
§ 46.2-100.....	1114
§ 46.2-205.....	940
§ 46.2-214.3.....	942
§ 46.2-221.4.....	941
§ 46.2-222.....	942
§ 46.2-223.....	942
§ 46.2-224.....	942
§ 46.2-336.....	480
§ 46.2-342.....	941
§ 46.2-395.....	1048
§ 46.2-411.....	1048
§ 46.2-416.....	943
§ 46.2-454.....	1059
§ 46.2-694.....	760,1048
§ 46.2-819.3:1.....	941
§ 46.2-1104.....	948
§ 46.2-1157.....	930
§ 46.2-1167.....	928
§ 46.2-1187.....	930
§ 46.2-1200.....	943
§ 46.2-1207.....	943
§ 46.2-1231.....	1115
§ 46.2-1233.1.....	1115

Title 51.1 PENSIONS, BENEFITS, AND RETIREMENT

<b>Section</b>	<b>Page</b>
§ 51.1-124.3.....	452,974,1090,1092
§ 51.1-124.30.....	971
§ 51.1-126.....	975
§ 51.1-132.....	974
§ 51.1-137.....	504
§ 51.1-138.....	975
§ 51.1-142.2.....	1091
§ 51.1-144.....	1092
§ 51.1-145.....	972,975
§ 51.1-152.....	452
§ 51.1-153.....	975
§ 51.1-155.....	975
§ 51.1-155.1.....	975,1091,1092
§ 51.1-156.....	975,1092
§ 51.1-166.....	599
§ 51.1-169.....	975
§ 51.1-300.....	1092
§ 51.1-500.....	974
§ 51.1-706.....	504
§ 51.1-1100.....	1090
§ 51.1-1103.....	1090
§ 51.1-1200.....	1000
§ 51.1-1206.....	1000
§ 51.1-1401.....	605
§ 51.1-1403.....	511

Title 51.5 PERSONS WITH DISABILITIES

<b>Section</b>	<b>Page</b>
§ 51.5-1.....	862,864
§ 51.5-72.....	863
§ 51.5-73.....	864
§ 51.5-74.....	862
§ 51.5-169.1.....	837

Title 52 POLICE (STATE)

<b>Section</b>	<b>Page</b>
§ 52-1.....	930,932
§ 52-4.....	928,930,932
§ 52-4.2.....	930
§ 52-4.3.....	928,930
§ 52-4.4.....	928
§ 52-8.....	930
§ 52-8.1.....	491,930
§ 52-8.1:1.....	930

§ 52-8.2.....	930
§ 52-8.4.....	930
§ 52-8.5.....	928
§ 52-11.3.....	907
§ 52-12.....	928
§ 52-13.....	928
§ 52-15.....	928
§ 52-16.....	928
§ 52-25.....	928
§ 52-28.....	510,915,932
§ 52-31.....	928
§ 52-34.....	928
§ 52-47.....	918
§ 52-54.....	932

Title 53.1 PRISONS AND OTHER METHODS OF CORRECTION

<b>Section</b>	<b>Page</b>
§ 53.1-1.....	497,498,900,902,903,1113
§ 53.1-5.....	897,899,900,902
§ 53.1-8.....	900,902
§ 53.1-10.....	897,900,902,903
§ 53.1-20.....	903
§ 53.1-40.....	478
§ 53.1-40.01.....	933
§ 53.1-40.2.....	826
§ 53.1-45.....	901
§ 53.1-47.....	901
§ 53.1-67.2.....	897,900
§ 53.1-67.6.....	897
§ 53.1-67.8.....	900
§ 53.1-68.....	899
§ 53.1-69.1.....	904
§ 53.1-80.....	498,745,898
§ 53.1-81.....	498,898
§ 53.1-82.2.....	745
§ 53.1-83.1.....	493,497
§ 53.1-84.....	497
§ 53.1-85.....	493,497
§ 53.1-120.....	494
§ 53.1-131.....	496
§ 53.1-140.....	897
§ 53.1-151.....	933
§ 53.1-176.3.....	897

Title 54.1 PROFESSIONS AND OCCUPATIONS

<b>Section</b>	<b>Page</b>
§ 54.1-111.....	1116
§ 54.1-308.....	868
§ 54.1-526.....	1116
§ 54.1-600.....	508
§ 54.1-1100.....	1116
§ 54.1-1115.....	1116
§ 54.1-1118.....	1116
§ 54.1-1505.....	1115
§ 54.1-2100.....	1116
§ 54.1-2345.....	1049
§ 54.1-3011.2.....	759,776
§ 54.1-3400.....	1116
§ 54.1-3912.....	475
§ 54.1-3913.....	1052
§ 54.1-3934.....	482
§ 54.1-3935.....	484
§ 54.1-3938.....	484
§ 54.1-4000.....	1115

Title 55.1 PROPERTY AND CONVEYANCES

<b>Section</b>	<b>Page</b>
§ 55.1-345.....	1048
§ 55.1-1204.....	545
§ 55.1-2525.....	742
§ 55.1-2531.....	742

Title 56 PUBLIC SERVICE COMPANIES

Section	Page
§ 56-232.....	615
§ 56-234.....	615
§ 56-334.....	930
§ 56-468.1.....	952
§ 56-484:17.....	729
§ 56-484.17.....	920,1041
§ 56-484.17:1.....	729,736
§ 56-575.1.....	516
§ 56-575.17.....	468

Title 58.1 TAXATION

Section	Page
§ 58.1-3.....	468,943
§ 58.1-105.....	737
§ 58.1-200.....	739
§ 58.1-202.....	733,735,739
§ 58.1-202.1.....	1042
§ 58.1-202.2.....	733
§ 58.1-203.....	737
§ 58.1-206.....	739
§ 58.1-207.....	733
§ 58.1-208.....	739
§ 58.1-210.....	733
§ 58.1-213.....	733,739
§ 58.1-214.....	735
§ 58.1-300.....	1047
§ 58.1-301.....	1104,1109
§ 58.1-302.....	735,738,1046
§ 58.1-303.....	1106
§ 58.1-306.....	736
§ 58.1-309.....	1047
§ 58.1-312.....	1043,1107,1119
§ 58.1-320.....	736,1105,1106
§ 58.1-321.....	1042,1105,1107
§ 58.1-322.....	1107,1117
§ 58.1-322.02.....	3,1106,1117
§ 58.1-322.03.....	3,1106,1107,1117
§ 58.1-339.11.....	1108
§ 58.1-339.2.....	888,1046
§ 58.1-339.4.....	1119,1120
§ 58.1-339.8.....	3,1105
§ 58.1-381.....	735
§ 58.1-392.....	735
§ 58.1-402.....	1042,1108
§ 58.1-439.12:03.....	1043
§ 58.1-439.12:04.....	544
§ 58.1-439.12:12.....	1047
§ 58.1-439.18.....	1046
§ 58.1-439.2.....	969
§ 58.1-439.20.....	1046
§ 58.1-439.20:1.....	1046
§ 58.1-439.29.....	1109,1110
§ 58.1-439.30.....	3,1109,1110
§ 58.1-442.....	737
§ 58.1-460.....	737,738
§ 58.1-472.....	735
§ 58.1-478.....	735
§ 58.1-490.....	735,736
§ 58.1-495.....	736
§ 58.1-512.....	1046
§ 58.1-513.....	734,876
§ 58.1-520.....	1047
§ 58.1-600.....	1108
§ 58.1-602.....	1042
§ 58.1-603.....	1042,1106
§ 58.1-603.2.....	729
§ 58.1-604.....	1042,1106
§ 58.1-605.....	1106
§ 58.1-606.....	1106

§ 58.1-608.3.....	729,733,982
§ 58.1-609.1.....	1047
§ 58.1-609.10.....	735
§ 58.1-609.11.....	735,1043
§ 58.1-609.12.....	735
§ 58.1-609.3.....	1043,1047
§ 58.1-609.6.....	1048
§ 58.1-611.1.....	3,1106
§ 58.1-611.2.....	1047
§ 58.1-611.3.....	1047
§ 58.1-612.....	1047,1106
§ 58.1-613.....	1106
§ 58.1-622.....	1042
§ 58.1-638.....	604,607,886,939,1037,1106
§ 58.1-638.1.....	1041
§ 58.1-642.....	1042
§ 58.1-645.....	729,734
§ 58.1-656.....	1042
§ 58.1-662.....	729,734,757,1038
§ 58.1-801.....	1048
§ 58.1-803.....	1048
§ 58.1-816.....	729,733
§ 58.1-816.1.....	747
§ 58.1-1001.....	1046
§ 58.1-1021.01.....	1047
§ 58.1-1021.02.....	738,1046,1047
§ 58.1-1021.03.....	1042
§ 58.1-1021.04:1.....	1047
§ 58.1-1031.....	1115
§ 58.1-1402.....	1036,1037
§ 58.1-1410.....	886,1036
§ 58.1-1509.....	1033
§ 58.1-1609.....	1033
§ 58.1-1730.....	1042
§ 58.1-1731.....	541
§ 58.1-1734.....	729
§ 58.1-1736.....	729,1041
§ 58.1-1741.....	729,736,1041
§ 58.1-1803.....	734,739
§ 58.1-2201.....	1042
§ 58.1-2289.....	892,1034
§ 58.1-2290.20.....	948
§ 58.1-2291.....	943,956,1042
§ 58.1-2295.....	941,945
§ 58.1-2299.20.....	943
§ 58.1-2402.....	943
§ 58.1-2425.....	943
§ 58.1-2501.....	777
§ 58.1-2510.....	1041
§ 58.1-2531.....	1041
§ 58.1-2533.....	736
§ 58.1-2652.....	996
§ 58.1-2655.....	739
§ 58.1-2658.1.....	729
§ 58.1-3176.....	725
§ 58.1-3221.3.....	937
§ 58.1-3230.....	1118
§ 58.1-3234.....	505
§ 58.1-3239.....	739
§ 58.1-3242.1.....	537
§ 58.1-3278.....	739
§ 58.1-3374.....	739
§ 58.1-3403.....	514,904,922,950
§ 58.1-3406.....	729,733
§ 58.1-3524.....	731,970,1060
§ 58.1-3536.....	1060
§ 58.1-3701.....	737
§ 58.1-3818.02.....	1043
§ 58.1-3835.....	738
§ 58.1-3851.1.....	733
§ 58.1-3851.2.....	733

§ 58.1-3912.....	731
§ 58.1-3958.....	503
§ 58.1-4022.....	595,998,1036
§ 58.1-4022.1.....	595,1036
§ 58.1-4030.....	998
§ 58.1-4037.....	998
§ 58.1-4107.....	1099
§ 58.1-4123.....	998

Title 59.1 TRADE AND COMMERCE

Section	Page
§ 59.1-21.1.....	1115
§ 59.1-200.....	3,1112,1113
§ 59.1-207.1.....	1115
§ 59.1-207.17.....	1115
§ 59.1-207.34.....	1115
§ 59.1-207.40.....	1115
§ 59.1-207.45.....	1116
§ 59.1-284.29.....	541
§ 59.1-284.31.....	542
§ 59.1-284.33.....	541
§ 59.1-284.34.....	542
§ 59.1-284.35.....	542
§ 59.1-284.36.....	542
§ 59.1-284.37.....	542
§ 59.1-284.38.....	542
§ 59.1-284.39.....	542
§ 59.1-294.....	1115
§ 59.1-311.....	1115
§ 59.1-336.....	467,1116
§ 59.1-364.....	538
§ 59.1-392.....	538
§ 59.1-415.....	1115
§ 59.1-424.....	1115
§ 59.1-429.....	1115
§ 59.1-434.1.....	1116
§ 59.1-435.....	1115
§ 59.1-441.1.....	1115
§ 59.1-443.2.....	1115
§ 59.1-445.....	1115
§ 59.1-518.1.....	1116
§ 59.1-525.....	1115
§ 59.1-530.....	1115
§ 59.1-533.....	1115
§ 59.1-547.....	554
§ 59.1-548.....	554
§ 59.1-586.....	1116

Title 60.2 UNEMPLOYMENT COMPENSATION

Section	Page
§ 60.2-100.....	974
§ 60.2-106.....	580
§ 60.2-229.....	974
§ 60.2-301.....	871
§ 60.2-305.....	869
§ 60.2-315.....	869
§ 60.2-533.....	870

Title 62.1 WATERS OF THE STATE, PORTS AND HARBORS

Section	Page
§ 62.1-44.15:6.....	880
§ 62.1-44.15:28.....	881
§ 62.1-44.15:56.....	880
§ 62.1-44.18.....	773
§ 62.1-44.19:3.....	880
§ 62.1-44.19:9.....	773
§ 62.1-44.19:20.....	881
§ 62.1-44.2.....	512
§ 62.1-128.....	959
§ 62.1-132.3:2.....	959
§ 62.1-132.3:3.....	959

§ 62.1-132.6.....	1065
§ 62.1-140.....	957,958,959
§ 62.1-274.....	669,704

Title 63.2 WELFARE (SOCIAL SERVICES)

Section	Page
§ 63.2-401.....	846,861
§ 63.2-403.....	846
§ 63.2-406.....	846
§ 63.2-407.....	846
§ 63.2-408.....	846
§ 63.2-611.....	845
§ 63.2-612.....	845
§ 63.2-615.....	846
§ 63.2-905.1.....	850
§ 63.2-908.....	1107
§ 63.2-1300.....	850
§ 63.2-1302.....	850
§ 63.2-1303.....	850
§ 63.2-1502.....	850
§ 63.2-1615.....	849
§ 63.2-1700.....	857
§ 63.2-1706.....	857
§ 63.2-2100.....	843
§ 63.2-2103.....	843
§ 63.2-2300.....	849

Title 64.2 WILLS, TRUSTS, AND FIDUCIARIES

Section	Page
§ 64.2-2014.....	929

Title 66 JUVENILE JUSTICE

Section	Page
§ 66-3.....	927
§ 66-13.....	923,925,926,927
§ 66-13.1.....	923
§ 66-14.....	923,924
§ 66-15.....	924
§ 66-16.....	926
§ 66-18.....	926
§ 66-19.....	926
§ 66-20.....	924
§ 66-22.....	923,926
§ 66-24.....	923
§ 66-25.1.....	926



## CHAPTER 3

An Act to amend and reenact § 58.1-439.30 of the Code of Virginia, relating to income tax; housing opportunity tax credits.

[S 47]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-439.30 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-439.30. Virginia housing opportunity tax credit.**

A. ~~A~~ Subject to the provisions of subsection H, a housing opportunity tax credit shall be allowed for each qualified project for each year of the credit period, in an amount ~~equal up~~ to the amount of federal low-income housing tax credit allocated or allowed by the Authority to such qualified project; ~~except that there shall be no reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2). The credit shall be allowed ratably for each qualified project, with one-tenth of the credit amount allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.~~

B. 1. For taxable years beginning on and after January 1, 2021, but before January 1, 2026, a qualified taxpayer may claim a housing opportunity tax credit against its Virginia tax liability prior to reduction by any other credits allowed the taxpayer. The housing opportunity tax credit may be allocated by pass-through entities to some or all of its partners, members, or shareholders in any manner agreed to by such persons, regardless of whether or not any such person is allocated or allowed any portion of any federal low-income housing tax credit with respect to the qualified project, whether or not the allocation of the housing opportunity tax credit under the terms of the agreement has substantial economic effect within the meaning of § 704(b) of the Internal Revenue Code, and whether ~~or not~~ any such person is deemed a partner for federal income tax purposes as long as the partner or member would be considered a partner or member as defined under applicable state law, and has been admitted as a partner or member on or prior to the date for filing the qualified taxpayer's tax return, including any amendments thereto, with respect to the year of the housing opportunity tax credit. Such pass-through entities or qualified taxpayer may assign all or any part of its interest, including its interest in the tax credits, to one or more pass-through entities or qualified taxpayers, and the qualified taxpayer shall be able to claim the housing opportunity tax credit so long as its interest is acquired prior to the filing of its tax return claiming the housing opportunity tax credit.

2. *If a housing opportunity tax credit has been awarded according to the terms of subsection G prior to January 1, 2026, such credit may continue to be claimed on a return for taxable years on and after January 1, 2026, but only pursuant to the applicable credit period specified in § 58.1-439.29.*

C. The housing opportunity tax credit authorized by this article shall not be refundable. Any housing opportunity tax credit not used in a taxable year may be carried forward *by a qualified taxpayer* for the succeeding five years.

D. A qualified taxpayer claiming a housing opportunity tax credit shall submit a copy of the eligibility certificate at the time of filing its tax return with the Department. If the owner of the qualified project has applied to the Authority for the eligibility certificate but the Authority has not yet issued the eligibility certificate at the time the qualified taxpayer files its original tax return claiming the housing opportunity tax credit, the taxpayer may claim the housing opportunity tax credit based upon the amount of tax credit set forth in the ~~carryover allocation or 42(m) letter, as applicable, award letter issued by the Authority for the housing opportunity tax credit~~ issued to the qualified project and shall amend its tax return to include the eligibility certificate upon its receipt. If the amount of tax credit in the eligibility certificate is different than the amount of tax credit previously claimed, the taxpayer shall adjust the tax credit amount claimed on the amended tax return.

E. If under § 42 of the Internal Revenue Code, as amended, a portion of any federal low-income housing credits taken on a qualified project is required to be recaptured or is otherwise disallowed during the credit period, the taxpayer claiming housing opportunity tax credits with respect to such project shall also be required to recapture a portion of any tax credits authorized by this article. The percentage of housing opportunity tax credits subject to recapture shall be equal to the percentage of federal low-income housing credits subject to recapture or otherwise disallowed during such period. Any tax credits recaptured or disallowed shall increase the income tax liability of the qualified taxpayer who claimed the tax credits in a like amount and shall be included on the tax return of the qualified taxpayer submitted for the taxable year in which the recapture or disallowance event is identified. *The balance of any tax credits recaptured or disallowed shall be allocated by the Authority for any qualified project in accordance with subsection G.*

F. The Authority shall administer the housing opportunity tax credit program and shall be authorized to promulgate the regulations and guidelines necessary to implement and administer ~~the provisions of~~ this article. Such regulations and guidelines may include the imposition of application, allocation, certification, and monitoring fees designed to recoup the costs of the Authority in administering the housing opportunity tax credit program. ~~The Authority may also promulgate regulations and guidelines in consultation with the Department to allow a qualified project to elect in its application to the Authority to sell all or any portion of its credits awarded pursuant to this article to one or more unrelated taxpayers. Regulations and guidelines regarding the sale of credits, if promulgated, shall not take effect prior to January 1, 2023, and shall not apply to credits awarded prior to January 1, 2023.~~

G. 1. Any housing opportunity tax credit amounts authorized in a calendar year that are subsequently (i) canceled and returned to the Authority or (ii) recaptured or disallowed pursuant to subsection E may be awarded in the following calendar year, but no later than December 31, 2025. If the amount of housing opportunity tax credits authorized in a calendar year for qualified projects is less than the total amount of credits available for qualified projects under subdivision H 2, the balance of such credits, in an amount not greater than 15 percent of the amount of credits available for qualified projects under subdivision H 2, (a) shall be allocated by the Authority for any qualified project in the following calendar year; (b) shall not be allocated at any time after such following calendar year; and (c) shall be allocated no later than December 31, 2025.

2. Such housing opportunity tax credits issued pursuant to this subsection shall be allowed ratably, with one-tenth of the total amount of credits allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.

H. 1. The total amount of housing opportunity tax credits authorized for qualified projects under this article shall not exceed \$15 million per for calendar year 2021.

2. For calendar years 2022 through 2025, the total amount of housing opportunity tax credits authorized for qualified projects under this article shall not exceed \$60 million per calendar year. Such credits issued each calendar year shall be allowed ratably, with one-tenth of the total amount of credits allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.

3. Notwithstanding any other provision of law to the contrary, the aggregate amount of housing opportunity tax credits authorized for all qualified projects under this article shall not exceed \$255 million across all calendar years.

2. That notwithstanding any provision of law or regulation to the contrary, only housing opportunity tax credits awarded in calendar year 2021, up to a maximum of \$15 million total for all taxpayers in all taxable years, may be claimed pursuant to the provisions of § 58.1-439.30 of the Code of Virginia as set forth in Chapter 495 of the Acts of Assembly of 2021, Special Session I, prior to amendment by this act. Nothing in this enactment shall apply to § 58.1-439.30 of the Code of Virginia as amended by this act.

3. That the Virginia Housing Development Authority (the Authority) shall, upon request from the Chairs of the House Committee on Appropriations, the House Committee on Finance, and the Senate Committee on Finance and Appropriations, provide information, data, and any other requested advisement on the potential structure and cost of a separately authorized certificated Virginia housing opportunity tax credit program that would allow a qualified project to sell all or any portion of its Virginia housing opportunity tax credits to one or more unrelated taxpayers based on findings in the report of the Department of Housing and Community Development and the Authority stakeholder advisory group submitted pursuant to Chapter 517 of the Acts of Assembly of 2020.

4. Of the \$60 million of Virginia housing opportunity tax credits authorized per calendar year from 2022 through 2025 for qualified projects by the Virginia Housing Development Authority (the Authority) pursuant to Article 13.4 (§ 58.1-439.29 et seq.) of Chapter 3 of Title 58.1 of the Code of Virginia, as amended by this act, \$20 million of such credits shall be first allocated exclusively for qualified projects located in a locality with a population no greater than 35,000 as determined by the most recent United States census. Such allocation of housing opportunity tax credits shall constitute the minimum amount of such tax credits to be allocated for qualified projects in such localities. However, if the amount of such tax credits requested for qualified projects in such localities is less than the total amount of such credits available for qualified projects in such localities, the balance of such credits shall be allocated for any qualified project, regardless of location. In allocating or allowing such credits to qualified projects in such localities, the Authority shall give equal consideration to qualified projects allocated or allowed a federal low-income housing credit in an amount equal to the 10-year present value calculation of the percentages prescribed under 26 U.S.C. §§ 42(b)(1)(B)(i) and (ii).

## CHAPTER 4

*An Act to amend and reenact § 58.1-611.1 of the Code of Virginia, relating to sales tax; exemption for food purchased for human consumption and essential personal hygiene products.*

[S 451]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-611.1 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-611.1. Exemption for food purchased for human consumption and essential personal hygiene products.**

A. ~~The~~ Before January 1, 2023, the tax imposed by §§ 58.1-603 and 58.1-604 on food purchased for human consumption and essential personal hygiene products shall be one and one-half percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one-half percent shall be distributed as

provided in subsection A of § 58.1-638 and (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C, and D of § 58.1-638.

~~B. The provisions of this section shall not affect the imposition of tax on food purchased for human consumption and essential personal hygiene products pursuant to §§ 58.1-605 and 58.1-606.~~

~~C. On and after January 1, 2023, and except for taxes imposed pursuant to §§ 58.1-605 and 58.1-606, no tax shall be imposed under this chapter, or pursuant to any authority granted under this chapter, on food purchased for human consumption or essential personal hygiene products.~~

~~C. Beginning February 1, 2023, an amount equal to the revenue that would have been distributed pursuant to clause (ii) of subsection A shall be distributed as provided in subsections B, C, and D of § 58.1-638 based on the estimates of the population of cities and counties ages five to 19.~~

D. 1. As used in this section, "food purchased for human consumption" has the same meaning as "food" defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to that Act, except it shall not include seeds and plants which produce food for human consumption. For the purpose of this section, "food purchased for human consumption" shall not include food sold by any retail establishment where the gross receipts derived from the sale of food prepared by such retail establishment for immediate consumption on or off the premises of the retail establishment constitutes more than 80 percent of the total gross receipts of that retail establishment, including but not limited to motor fuel purchases, regardless of whether such prepared food is consumed on the premises of that retail establishment. For purposes of this section, "retail establishment" means each place of business for which any "dealer," as defined in § 58.1-612, is required to apply for and receive a certificate of registration pursuant to § 58.1-613.

2. As used in this section, "essential personal hygiene products" means (i) nondurable incontinence products such as diapers, disposable undergarments, pads, and bed sheets and (ii) menstrual cups and pads, pantyliners, sanitary napkins, tampons, and other products used to absorb or contain menstrual flow. "Essential personal hygiene products" does not include any item that is otherwise exempt pursuant to this chapter.

## CHAPTER 5

*An Act to amend and reenact § 58.1-611.1 of the Code of Virginia, relating to sales tax; exemption for food purchased for human consumption and essential personal hygiene products.*

[H 90]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-611.1 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-611.1. Exemption for food purchased for human consumption and essential personal hygiene products.**

~~A. The~~ *Before January 1, 2023, the tax imposed by §§ 58.1-603 and 58.1-604 on food purchased for human consumption and essential personal hygiene products shall be one and one-half percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one-half percent shall be distributed as provided in subsection A of § 58.1-638 and (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C, and D of § 58.1-638.*

~~B. The provisions of this section shall not affect the imposition of tax on food purchased for human consumption and essential personal hygiene products pursuant to §§ 58.1-605 and 58.1-606.~~

~~C. On and after January 1, 2023, and except for taxes imposed pursuant to §§ 58.1-605 and 58.1-606, no tax shall be imposed under this chapter, or pursuant to any authority granted under this chapter, on food purchased for human consumption or essential personal hygiene products.~~

~~C. Beginning February 1, 2023, an amount equal to the revenue that would have been distributed pursuant to clause (ii) of subsection A shall be distributed as provided in subsections B, C, and D of § 58.1-638 based on the estimates of the population of cities and counties ages five to 19.~~

D. 1. As used in this section, "food purchased for human consumption" has the same meaning as "food" defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to that Act, except it shall not include seeds and plants which produce food for human consumption. For the purpose of this section, "food purchased for human consumption" shall not include food sold by any retail establishment where the gross receipts derived from the sale of food prepared by such retail establishment for immediate consumption on or off the premises of the retail establishment constitutes more than 80 percent of the total gross receipts of that retail establishment, including but not limited to motor fuel purchases, regardless of whether such prepared food is consumed on the premises of that retail establishment. For purposes of this section, "retail establishment" means each place of business for which any "dealer," as defined in § 58.1-612, is required to apply for and receive a certificate of registration pursuant to § 58.1-613.

2. As used in this section, "essential personal hygiene products" means (i) nondurable incontinence products such as diapers, disposable undergarments, pads, and bed sheets and (ii) menstrual cups and pads, pantyliners, sanitary napkins, tampons, and other products used to absorb or contain menstrual flow. "Essential personal hygiene products" does not include any item that is otherwise exempt pursuant to this chapter.

## CHAPTER 6

*An Act to amend and reenact § 58.1-322.03 of the Code of Virginia, relating to income tax deduction; eligible educators.*

[H 103]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-322.03 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-322.03. Virginia taxable income; deductions.**

In computing Virginia taxable income pursuant to § 58.1-322, there shall be deducted from Virginia adjusted gross income as defined in § 58.1-321:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount that, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return: (i) for taxable years beginning before January 1, 2019, and on and after January 1, 2026, \$3,000 for single individuals and \$6,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return) and (ii) for taxable years beginning on and after January 1, 2019, but before January 1, 2026, \$4,500 for single individuals and \$9,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return). For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of \$930 for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. Each blind or aged taxpayer as defined under § 63(f) of the Internal Revenue Code shall be entitled to an additional personal exemption in the amount of \$800.

The additional deduction for blind or aged taxpayers allowed under this subdivision shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional \$1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided that the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. a. A deduction in the amount of \$12,000 for individuals born on or before January 1, 1939.

b. A deduction in the amount of \$12,000 for individuals born after January 1, 1939, who have attained the age of 65. This deduction shall be reduced by \$1 for every \$1 that the taxpayer's adjusted federal adjusted gross income exceeds \$50,000 for single taxpayers or \$75,000 for married taxpayers. For married taxpayers filing separately, the deduction shall be reduced by \$1 for every \$1 that the total combined adjusted federal adjusted gross income of both spouses exceeds \$75,000.

For the purposes of this subdivision, "adjusted federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.

6. The amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or college savings trust account entered into with the Virginia College Savings Plan, pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. Except as provided in subdivision b, the amount deducted on any individual income tax return in any taxable year shall be limited to \$4,000 per prepaid tuition contract or college savings trust account. No deduction shall be allowed pursuant to this subdivision 7 if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a college savings trust account exceeds \$4,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or college savings trust contribution has been fully deducted; however, except as provided in subdivision b, in no event shall the amount deducted in any taxable year exceed \$4,000 per contract or college savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, "purchaser" or "contributor" means the person shown as such on the records of the Virginia College Savings Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or college savings trust account, the transferee shall succeed to the transferor's tax

attributes associated with a prepaid tuition contract or college savings trust account, including, but not limited to, carryover and recapture of deductions.

b. A purchaser of a prepaid tuition contract or contributor to a college savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed \$4,000 per prepaid tuition contract or college savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a college savings trust account, less any amounts previously deducted.

8. The total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided that the individual has not claimed a deduction for such amount on his federal income tax return.

9. An amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subdivision shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. The amount an individual pays annually in premiums for long-term health care insurance, provided that the individual has not claimed a deduction for federal income tax purposes, or, for taxable years beginning before January 1, 2014, a credit under § 58.1-339.11. For taxable years beginning on and after January 1, 2014, no such deduction for long-term health care insurance premiums paid by the individual during the taxable year shall be allowed if the individual has claimed a federal income tax deduction for such taxable year for long-term health care insurance premiums paid by him.

11. Contract payments to a producer of quota tobacco or a tobacco quota holder, or their spouses, as provided under the American Jobs Creation Act of 2004 (P.L. 108-357), but only to the extent that such payments have not been subtracted pursuant to subsection D of § 58.1-402, as follows:

a. If the payment is received in installment payments, then the recognized gain may be subtracted in the taxable year immediately following the year in which the installment payment is received.

b. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

12. An amount equal to 20 percent of the sum paid by an individual pursuant to Chapter 6 (§ 58.1-600 et seq.), not to exceed \$500 in each taxable year, in purchasing for his own use the following items of tangible personal property: (i) any clothes washers, room air conditioners, dishwashers, and standard size refrigerators that meet or exceed the applicable energy star efficiency requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; (ii) any fuel cell that (a) generates electricity using an electrochemical process, (b) has an electricity-only generation efficiency greater than 35 percent, and (c) has a generating capacity of at least two kilowatts; (iii) any gas heat pump that has a coefficient of performance of at least 1.25 for heating and at least 0.70 for cooling; (iv) any electric heat pump hot water heater that yields an energy factor of at least 1.7; (v) any electric heat pump that has a heating system performance factor of at least 8.0 and a cooling seasonal energy efficiency ratio of at least 13.0; (vi) any central air conditioner that has a cooling seasonal energy efficiency ratio of at least 13.5; (vii) any advanced gas or oil water heater that has an energy factor of at least 0.65; (viii) any advanced oil-fired boiler with a minimum annual fuel-utilization rating of 85; (ix) any advanced oil-fired furnace with a minimum annual fuel-utilization rating of 85; and (x) programmable thermostats.

13. The lesser of \$5,000 or the amount actually paid by a living donor of an organ or other living tissue for unreimbursed out-of-pocket expenses directly related to the donation that arose within 12 months of such donation, provided that the donor has not taken a medical deduction in accordance with the provisions of § 213 of the Internal Revenue Code for such expenses. The deduction may be taken in the taxable year in which the donation is made or the taxable year in which the 12-month period expires.

14. For taxable years beginning on and after January 1, 2013, the amount an individual age 66 or older with earned income of at least \$20,000 for the year and federal adjusted gross income not in excess of \$30,000 for the year pays annually in premiums for (i) a prepaid funeral insurance policy covering the individual or (ii) medical or dental insurance for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws. As used in this subdivision, "earned income" means the same as that term is defined in § 32(c) of the Internal Revenue Code. The deduction shall not be allowed for any portion of such premiums paid for which the individual has (a) been reimbursed, (b) claimed a deduction for federal income tax purposes, (c) claimed a deduction or subtraction under another provision of this section, or (d) claimed a federal income tax credit or any income tax credit pursuant to this chapter.

15. For taxable years beginning on and after January 1, 2018, 20 percent of business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code. For purposes of this subdivision, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

16. For taxable years beginning on and after January 1, 2019, the actual amount of real and personal property taxes imposed by the Commonwealth or any other taxing jurisdiction not otherwise deducted solely on account of the dollar limitation imposed on individual deductions by § 164(b)(6)(B) of the Internal Revenue Code.

17. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to \$100,000 of the amount that is not deductible when computing federal adjusted gross income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

18. For taxable years beginning on and after January 1, 2022, but before January 1, 2025, the lesser of \$500 or the actual amount paid or incurred for eligible educator qualifying expenses. For purposes of this subdivision, "eligible educator" means an individual who for at least 900 hours during the taxable year in which the credit under this section is claimed served as a teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1, instructor, student counselor, principal, special needs personnel, or student aide serving accredited public or private primary and secondary school students in Virginia, and "qualifying expenses" means 100 percent of the amount paid or incurred by an eligible educator during the taxable year for participation in professional development courses and the purchase of books, supplies, computer equipment (including related software and services), other educational and teaching equipment, and supplementary materials used directly in that individual's service to students as an eligible educator, provided that such purchases were neither reimbursed nor claimed as a deduction on the eligible educator's federal income tax return for such taxable year.

## CHAPTER 7

An Act to amend the Code of Virginia by adding a section numbered 63.2-905.1:1, relating to foster care; housing support for persons between ages 18 and 21.

[H 349]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 63.2-905.1:1 as follows:**

**§ 63.2-905.1:1. Housing services.**

Local departments shall provide housing support for a period of no more than six months to any person who (i) is 18 years of age or older but less than 21 years of age, (ii) on or after July 1, 2022, (a) turned 18 years of age while in foster care under the custody of a local department or (b) turned 18 years of age while in the custody of the Department of Juvenile Justice and was in the custody of a local department immediately prior to commitment to the Department of Juvenile Justice and is transitioning from such commitment to self-sufficiency, and (iii) declines to participate in the Fostering Futures program pursuant to § 63.2-919. Such housing support shall be equal to the room and board portion of the maintenance payment that such person would otherwise receive for housing support through participation in the Fostering Futures program. The local department may send such payments directly to the housing provider or to the person receiving housing support, as agreed upon by the local department and the recipient. Policies and decisions regarding housing options shall take into consideration the recipient's autonomy, developmental maturity, and safety needs.

Local departments shall provide any person who chooses to decline or terminate such housing support prior to the person's twenty-first birthday written notice of the person's right to request restoration of housing support in accordance with this section. Such notice shall be included in the person's transition plan, which shall be created within 90 days prior to the person's discharge from foster care.

## CHAPTER 8

An Act to amend and reenact § 58.1-4125 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-138.3 and 22.1-140.1, relating to the School Construction Fund and Program; established; funding sources.

[H 563]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-4125 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding sections numbered 22.1-138.3 and 22.1-140.1 as follows:**

**§ 22.1-138.3. Department; school division maintenance reserve tool.**

A. The Department, in consultation with the Department of General Services, shall develop or adopt and maintain a data collection tool to assist each school board to determine the relative age of each public school building in the local school division and the amount of maintenance reserve funds that are necessary to restore each such building.

B. Each school board shall provide to the Department in a timely fashion the local data that is necessary to ensure that the tool maintained pursuant to subsection A remains relevant and useful for the determination of maintenance reserve needs.

**§ 22.1-140.1. School Construction Fund and Program.**

A. There is hereby created in the state treasury a special nonreverting fund to be known as the School Construction Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose, including

*funds appropriated pursuant to subdivision B 5 of § 58.1-4125, and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of awarding grants pursuant to the School Construction Program established in subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the president of the Board.*

*B. There is hereby established the School Construction Program (the Program) for the purpose of awarding grants from the Fund to local school boards to fund the construction of new public school buildings or the renovation or expansion of existing public school buildings in the local school division. The Program shall be administered by the Board in accordance with criteria and other requirements set forth in the general appropriation act.*

**§ 58.1-4125. Gaming Proceeds Fund.**

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Gaming Proceeds Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All moneys required to be deposited into the Fund pursuant to this chapter shall be paid into the state treasury and credited to the Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.

B. Revenues from the Fund shall be appropriated by the General Assembly as follows:

1. The following amounts shall be appropriated to the city in which they were collected:

a. An amount equal to a six percent tax on the first \$200 million of adjusted gross receipts;

b. An amount equal to a seven percent tax on the adjusted gross receipts that exceed \$200 million but do not exceed \$400 million; and

c. An amount equal to an eight percent tax on the adjusted gross receipts that exceed \$400 million.

2. For any casino gaming establishment operated by a Virginia Indian tribe recognized in House Joint Resolution No. 54 (1983) and acknowledged by the Assistant Secretary-Indian Affairs of the U.S. Department of the Interior as an Indian tribe within the meaning of federal law that has the authority to conduct gaming activities as a matter of claimed inherent authority or under the authority of the Indian Gaming Regulatory Act (25 U.S.C. § 2701 et seq.), an amount equal to a tax of one percent on the adjusted gross receipts of such establishment shall be deposited in the Virginia Indigenous People's Trust Fund established pursuant to § 2.2-401.01.

3. Eight-tenths of one percent of the Fund shall be appropriated to the Problem Gambling Treatment and Support Fund established pursuant to § 37.2-314.2.

4. Two-tenths of one percent of the Fund shall be appropriated to the Family and Children's Trust Fund established pursuant to § 63.2-2100.

5. Any remaining revenues not appropriated pursuant to subdivisions B 1 through B 4 shall ~~remain in the Fund until appropriated by the General Assembly for programs established to address public school construction, renovations, or upgrades~~ be appropriated to the School Construction Fund established pursuant to § 22.1-140.1.

C. As provided in the general appropriation act, funds appropriated pursuant to subdivision B 1 shall be distributed to cities on a quarterly basis.

**2. That the Department of Education shall consider using the Department of General Services' Real Estate and Assets Management system for tracking buildings and infrastructure maintenance status to meet the requirements of § 22.1-138.3 of the Code of Virginia, as created by this act.**

## CHAPTER 9

*An Act to amend and reenact § 58.1-4125 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-138.3 and 22.1-140.1, relating to the School Construction Fund and Program; established; funding sources.*

[S 473]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-4125 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding sections numbered 22.1-138.3 and 22.1-140.1 as follows:**

**§ 22.1-138.3. Department; school division maintenance reserve tool.**

A. The Department, in consultation with the Department of General Services, shall develop or adopt and maintain a data collection tool to assist each school board to determine the relative age of each public school building in the local school division and the amount of maintenance reserve funds that are necessary to restore each such building.

B. Each school board shall provide to the Department in a timely fashion the local data that is necessary to ensure that the tool maintained pursuant to subsection A remains relevant and useful for the determination of maintenance reserve needs.

**§ 22.1-140.1. School Construction Fund and Program.**

A. There is hereby created in the state treasury a special nonreverting fund to be known as the School Construction Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose, including funds appropriated pursuant to subdivision B 5 of § 58.1-4125, and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of awarding grants pursuant to the School Construction Program established in subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the president of the Board.

B. There is hereby established the School Construction Program (the Program) for the purpose of awarding grants from the Fund to local school boards to fund the construction of new public school buildings or the renovation or expansion of existing public school buildings in the local school division. The Program shall be administered by the Board in accordance with criteria and other requirements set forth in the general appropriation act.

**§ 58.1-4125. Gaming Proceeds Fund.**

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Gaming Proceeds Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All moneys required to be deposited into the Fund pursuant to this chapter shall be paid into the state treasury and credited to the Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.

B. Revenues from the Fund shall be appropriated by the General Assembly as follows:

1. The following amounts shall be appropriated to the city in which they were collected:

a. An amount equal to a six percent tax on the first \$200 million of adjusted gross receipts;

b. An amount equal to a seven percent tax on the adjusted gross receipts that exceed \$200 million but do not exceed \$400 million; and

c. An amount equal to an eight percent tax on the adjusted gross receipts that exceed \$400 million.

2. For any casino gaming establishment operated by a Virginia Indian tribe recognized in House Joint Resolution No. 54 (1983) and acknowledged by the Assistant Secretary-Indian Affairs of the U.S. Department of the Interior as an Indian tribe within the meaning of federal law that has the authority to conduct gaming activities as a matter of claimed inherent authority or under the authority of the Indian Gaming Regulatory Act (25 U.S.C. § 2701 et seq.), an amount equal to a tax of one percent on the adjusted gross receipts of such establishment shall be deposited in the Virginia Indigenous People's Trust Fund established pursuant to § 2.2-401.01.

3. Eight-tenths of one percent of the Fund shall be appropriated to the Problem Gambling Treatment and Support Fund established pursuant to § 37.2-314.2.

4. Two-tenths of one percent of the Fund shall be appropriated to the Family and Children's Trust Fund established pursuant to § 63.2-2100.

5. Any remaining revenues not appropriated pursuant to subdivisions B 1 through B 4 shall remain in the Fund until appropriated by the General Assembly for programs established to address public school construction, renovations, or upgrades be appropriated to the School Construction Fund established pursuant to § 22.1-140.1.

C. As provided in the general appropriation act, funds appropriated pursuant to subdivision B 1 shall be distributed to cities on a quarterly basis.

**2. That the Department of Education shall consider using the Department of General Services' Real Estate and Assets Management system for tracking buildings and infrastructure maintenance status to meet the requirements of § 22.1-138.3 of the Code of Virginia, as created by this act.**

**CHAPTER 10**

*An Act to amend and reenact § 63.2-900 of the Code of Virginia, relating to foster care; local boards of social services; collaborative placement program.*

[H 653]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 63.2-900 of the Code of Virginia is amended and reenacted as follows:**

**§ 63.2-900. Accepting children for placement in homes, facilities, etc., by local boards.**

A. Pursuant to § 63.2-319, a local board shall have the right to accept for placement in suitable family homes, children's residential facilities or independent living arrangements, subject to the supervision of the Commissioner and in accordance with regulations adopted by the Board, such persons under 18 years of age as may be entrusted to it by the parent, parents or guardian, committed by any court of competent jurisdiction, or placed through an agreement between it and the parent, parents or guardians where legal custody remains with the parent, parents, or guardians.

The Board shall adopt regulations for the provision of foster care services by local boards, which shall be directed toward the prevention of unnecessary foster care placements and towards the immediate care of and permanent planning for



children in the custody of or placed by local boards and that shall achieve, as quickly as practicable, permanent placements for such children. The local board shall first seek out kinship care options to keep children out of foster care and as a placement option for those children in foster care, if it is in the child's best interests, pursuant to § 63.2-900.1. In cases in which a child cannot be returned to his prior family or placed for adoption and kinship care is not currently in the best interests of the child, the local board shall consider the placement and services that afford the best alternative for protecting the child's welfare. Placements may include but are not limited to family foster care, treatment foster care, and residential care; *however, the local board shall seek to place the child with a foster family within the locality of the local board or a nearby locality through the collaborative local board placement program set forth in subsection F, provided that such placement is in the best interests of the child.* Services may include but are not limited to assessment and stabilization, diligent family search, intensive in-home, intensive wraparound, respite, mentoring, family mentoring, adoption support, supported adoption, crisis stabilization or other community-based services. The Board shall also approve in foster care policy the language of the agreement required in § 63.2-902. The agreement shall include at a minimum a Code of Ethics and mutual responsibilities for all parties to the agreement.

Within 30 days of accepting for foster care placement a person under 18 years of age whose father is unknown, the local board shall request a search of the Virginia Birth Father Registry established pursuant to Article 7 (§ 63.2-1249 et seq.) of Chapter 12 to determine whether any man has registered as the putative father of the child. If the search results indicate that a man has registered as the putative father of the child, the local board shall contact the man to begin the process to determine paternity.

The local board shall, in accordance with the regulations adopted by the Board and in accordance with the entrustment agreement or other order by which such person is entrusted or committed to its care, have custody and control of the person so entrusted or committed to it until he is lawfully discharged, has been adopted or has attained his majority.

Whenever a local board places a child where legal custody remains with the parent, parents or guardians, the board shall enter into an agreement with the parent, parents or guardians. The agreement shall specify the responsibilities of each for the care and control of the child.

The local board shall have authority to place for adoption, and to consent to the adoption of, any child properly committed or entrusted to its care when the order of commitment or entrustment agreement between the parent or parents and the agency provides for the termination of all parental rights and responsibilities with respect to the child for the purpose of placing and consenting to the adoption of the child.

The local board shall also have the right to accept temporary custody of any person under 18 years of age taken into custody pursuant to subdivision B of § 16.1-246 or § 63.2-1517. The placement of a child in a foster home, whether within or without the Commonwealth, shall not be for the purpose of adoption unless the placement agreement between the foster parents and the local board specifically so stipulates.

B. Prior to the approval of any family for placement of a child, a home study shall be completed and the prospective foster or adoptive parents shall be informed that information about shaken baby syndrome, its effects, and resources for help and support for caretakers is available on a website maintained by the Department as prescribed in regulations adopted by the Board. Home studies by local boards shall be conducted in accordance with the Mutual Family Assessment home study template and any addenda thereto developed by the Department.

C. Prior to placing any such child in any foster home or children's residential facility, the local board shall enter into a written agreement with the foster parents, pursuant to § 63.2-902, or other appropriate custodian setting forth therein the conditions under which the child is so placed pursuant to § 63.2-902. However, if a child is placed in a children's residential facility licensed as a temporary emergency shelter, and a verbal agreement for placement is secured within eight hours of the child's arrival at the facility, the written agreement does not need to be entered into prior to placement, but shall be completed and signed by the local board and the facility representative within 24 hours of the child's arrival or by the end of the next business day after the child's arrival.

Agreements entered into pursuant to this subsection shall include a statement by the local board that all reasonably ascertainable background, medical, and psychological records of the child, including whether the child has been the subject of an investigation as the perpetrator of sexual abuse, have been provided to the foster home or children's residential facility.

D. Within 72 hours of placing a child of school age in a foster care placement, as defined in § 63.2-100, the local social services agency making such placement shall, in writing, (i) notify the principal of the school in which the student is to be enrolled and the superintendent of the relevant school division or his designee of such placement, and (ii) inform the principal of the status of the parental rights.

If the documents required for enrollment of the foster child pursuant to § 22.1-3.1, 22.1-270 or 22.1-271.2, are not immediately available upon taking the child into custody, the placing social services agency shall obtain and produce or otherwise ensure compliance with such requirements for the foster child within 30 days after the child's enrollment.

E. Every local board shall submit to the Department through its statewide automated system the names of all foster parents licensed to provide foster care services in the locality served by the local board and update such list quarterly.

*F. The Department shall establish and implement a collaborative local board placement program to increase kinship placements and the number of locally approved foster homes. Such program shall require local boards within each Department of Social Services region to work collaboratively to (i) facilitate approval of kinship foster parents through engagement, assessment, and training and (ii) expand the pool of available foster homes within and across the localities of such local boards.*

## CHAPTER 11

*An Act to amend and reenact § 32.1-325 of the Code of Virginia, relating to state plan for medical assistance services; case management services; individuals with severe traumatic brain injury.*

[H 680]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:****1. That § 32.1-325 of the Code of Virginia is amended and reenacted as follows:****§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.**

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of \$3,500 for the individual and an amount not in excess of \$3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed \$5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or nurse practitioner and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one PSA test in a 12-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, nurse practitioner, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical

Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose; ~~and~~

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic health condition who have had two or more hospitalizations or emergency department visits related to such chronic health condition in the previous 12 months. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload; *and*

29. *A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury.*

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to

submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq. "Enforcement of Compliance for Long-Term Care Facilities With Deficiencies."

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program

of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organization's managed care plans. For the purposes of this subdivision:

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.

"Pharmacy benefits manager" means a person that performs pharmacy benefits management.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

## CHAPTER 12

*An Act to direct the Department of Medical Assistance Services to study options for and develop a plan to implement a process to allow direct purchase of over-the-counter medications and medical supplies; report.*

[H 1046]

Approved August 4, 2022

### **Be it enacted by the General Assembly of Virginia:**

1. § 1. *That the Department of Medical Assistance Services (the Department) shall study options for and develop a plan to implement a process by which recipients of medical assistance services shall receive payments, in the form of a voucher or electronic benefit transfer card, that may be used to purchase over-the-counter medications and medical supplies prescribed by an authorized prescriber directly in a retail setting. Such plan shall include identification of any statutory, regulatory, budgetary, or policy changes and any federal approvals necessary to implement such plan, as well as an estimate of the fiscal impact of implementation of the plan. Such plan shall also include provisions to prevent fraud and misuse of funds made available via vouchers or electronic benefit transfer card. The Department shall report its findings and plan to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health by December 1, 2022.*

## CHAPTER 13

*An Act to direct the State Board of Local and Regional Jails to make recommendations regarding certain fees in local and regional correctional facilities.*

[H 1053]

Approved August 4, 2022

### **Be it enacted by the General Assembly of Virginia:**

1. § 1. *The State Board of Local and Regional Jails (the Board) shall convene a work group to review and make recommendations regarding the reduction or elimination of costs and fees charged to inmates in local or regional*

*correctional facilities to defray the costs of an inmate's keep, work release, or participation in educational or rehabilitative programs; to use telephone services; to purchase items or services from stores or commissaries; to utilize electronic visitation systems; and otherwise deemed relevant by the Board. The work group shall be composed of two members of the House Committee on Public Safety who are not members of the same political party and two members of the Senate Committee on Rehabilitation and Social Services who are not members of the same political party. Such legislative members shall appoint as members of the work group one formerly incarcerated person, one family member of a currently incarcerated person, and at least one representative of the following organizations or companies: the Virginia Sheriffs' Association, the Virginia Association of Chiefs of Police, the Virginia Association of Regional Jails, the American Civil Liberties Union of Virginia, Worth Rises, Social Action Linking Together, Justice Forward Virginia, the Sistas in Prison Reform, Americans for Prosperity, a vendor that provides telephone services to local correctional facilities within the Commonwealth, and a vendor that provides commissary services to local correctional facilities within the Commonwealth. The work group shall report its findings and recommendations to the Chairmen of the House Committee on Public Safety and the Senate Committee on Rehabilitation and Social Services by December 1, 2022.*

## CHAPTER 14

*An Act to amend and reenact § 58.1-322.02 of the Code of Virginia, relating to income tax; military benefits subtraction.*

[H 1128]

Approved August 4, 2022

### **Be it enacted by the General Assembly of Virginia:**

#### **1. That § 58.1-322.02 of the Code of Virginia is amended and reenacted as follows:**

##### **§ 58.1-322.02. Virginia taxable income; subtractions.**

In computing Virginia taxable income pursuant to § 58.1-322, to the extent included in federal adjusted gross income, there shall be subtracted:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission, or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States, including, but not limited to, stocks, bonds, treasury bills, and treasury notes but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations, of the Commonwealth or of any political subdivision or instrumentality of the Commonwealth.

3. Benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code.

4. Up to \$20,000 of disability income, as defined in § 22(c)(2)(B)(iii) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of § 58.1-322.03 may not also claim a subtraction under this subdivision.

5. The amount of any refund or credit for overpayment of income taxes imposed by the Commonwealth or any other taxing jurisdiction.

6. The amount of wages or salaries eligible for the federal Work Opportunity Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.

7. Any amount included therein less than \$600 from a prize awarded by the Virginia Lottery.

8. The wages or salaries received by any person for active and inactive service in the National Guard of the Commonwealth of Virginia, not to exceed the amount of income derived from 39 calendar days of such service or \$3,000, whichever amount is less; however, only those persons in the ranks of O3 and below shall be entitled to the deductions specified in this subdivision.

9. Amounts received by an individual, not to exceed \$1,000 for taxable years beginning on or before December 31, 2019, and \$5,000 for taxable years beginning on or after January 1, 2020, as a reward for information provided to a law-enforcement official or agency, or to a nonprofit corporation created exclusively to assist such law-enforcement official or agency, in the apprehension and conviction of perpetrators of crimes. This subdivision shall not apply to the following: an individual who is an employee of, or under contract with, a law-enforcement agency, a victim or the perpetrator of the crime for which the reward was paid, or any person who is compensated for the investigation of crimes or accidents.

10. The amount of "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code and which shall be available to partners, shareholders of S corporations, and members of limited liability companies to the extent and in the same manner as other deductions may pass through to such partners, shareholders, and members.

11. Any income received during the taxable year derived from a qualified pension, profit-sharing, or stock bonus plan as described by § 401 of the Internal Revenue Code, an individual retirement account or annuity established under § 408 of the Internal Revenue Code, a deferred compensation plan as defined by § 457 of the Internal Revenue Code, or any federal government retirement program, the contributions to which were deductible from the taxpayer's federal adjusted gross

income, but only to the extent the contributions to such plan or program were subject to taxation under the income tax in another state.

12. Any income attributable to a distribution of benefits or a refund from a prepaid tuition contract or savings trust account with the Virginia College Savings Plan, created pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. The subtraction for any income attributable to a refund shall be limited to income attributable to a refund in the event of a beneficiary's death, disability, or receipt of a scholarship.

13. All military pay and allowances, to the extent included in federal adjusted gross income and not otherwise subtracted, deducted, or exempted under this section, earned by military personnel while serving by order of the President of the United States with the consent of Congress in a combat zone or qualified hazardous duty area that is treated as a combat zone for federal tax purposes pursuant to § 112 of the Internal Revenue Code.

14. For taxable years beginning before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent that a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

15. Fifteen thousand dollars of military basic pay for military service personnel on extended active duty for periods in excess of 90 days; however, the subtraction amount shall be reduced dollar-for-dollar by the amount by which the taxpayer's military basic pay exceeds \$15,000 and shall be reduced to zero if such military basic pay amount is equal to or exceeds \$30,000.

16. The first \$15,000 of salary for each federal and state employee whose total annual salary from all employment for the taxable year is \$15,000 or less.

17. Unemployment benefits taxable pursuant to § 85 of the Internal Revenue Code.

18. *a.* Any amount received as military retirement income by an individual awarded the Congressional Medal of Honor.

*b.* For taxable years beginning on and after January 1, 2022, but before January 1, 2023, up to \$10,000 of military benefits; for taxable years beginning on and after January 1, 2023, but before January 1, 2024, up to \$20,000 of military benefits; for taxable years beginning on and after January 1, 2024, but before January 1, 2025, up to \$30,000 of military benefits; and for taxable years beginning on and after January 1, 2025, up to \$40,000 of military benefits. For purposes of this subdivision *b.* "military benefits" means any (i) military retirement income received for service in the Armed Forces of the United States, (ii) qualified military benefits received pursuant to § 134 of the Internal Revenue Code, (iii) benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States under the Survivor Benefit Plan program established by the U.S. Department of Defense, and (iv) military benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States. The subtraction allowed by this subdivision *b* shall be allowed only for military benefits received by an individual age 55 or older. No subtraction shall be allowed pursuant to this subdivision *b* if a credit, exemption, subtraction, or deduction is claimed for the same income pursuant to subdivision *a* or any other provision of Virginia or federal law.

19. Items of income attributable to, derived from, or in any way related to (i) assets stolen from, hidden from, or otherwise lost by an individual who was a victim or target of Nazi persecution or (ii) damages, reparations, or other consideration received by a victim or target of Nazi persecution to compensate such individual for performing labor against his will under the threat of death, during World War II and its prelude and direct aftermath. This subtraction shall not apply to assets acquired with such items of income or with the proceeds from the sale of assets stolen from, hidden from, or otherwise lost to, during World War II and its prelude and direct aftermath, a victim or target of Nazi persecution. The provisions of this subdivision shall only apply to an individual who was the first recipient of such items of income and who was a victim or target of Nazi persecution, or a spouse, surviving spouse, or child or stepchild of such victim.

As used in this subdivision:

"Nazi regime" means the country of Nazi Germany, areas occupied by Nazi Germany, those European countries allied with Nazi Germany, or any other neutral European country or area in Europe under the influence or threat of Nazi invasion.

"Victim or target of Nazi persecution" means any individual persecuted or targeted for persecution by the Nazi regime who had assets stolen from, hidden from, or otherwise lost as a result of any act or omission in any way relating to (i) the Holocaust, (ii) World War II and its prelude and direct aftermath, (iii) transactions with or actions of the Nazi regime, (iv) treatment of refugees fleeing Nazi persecution, or (v) the holding of such assets by entities or persons in the Swiss Confederation during World War II and its prelude and aftermath. A "victim or target of Nazi persecution" also includes any individual forced into labor against his will, under the threat of death, during World War II and its prelude and direct aftermath.

20. The military death gratuity payment made after September 11, 2001, to the survivor of deceased military personnel killed in the line of duty, pursuant to 10 U.S.C. Chapter 75; however, the subtraction amount shall be reduced dollar-for-dollar by the amount that the survivor may exclude from his federal gross income in accordance with § 134 of the Internal Revenue Code.

21. The death benefit payments from an annuity contract that are received by a beneficiary of such contract, provided that (i) the death benefit payment is made pursuant to an annuity contract with an insurance company and (ii) the death



benefit payment is paid solely by lump sum. The subtraction under this subdivision shall be allowed only for that portion of the death benefit payment that is included in federal adjusted gross income.

22. Any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals with the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. Any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. Any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income shall be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided that the business has its principal office or facility in the Commonwealth and less than \$3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment shall be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. For taxable years beginning on and after January 1, 2014, any income of an account holder for the taxable year taxed as (i) a capital gain for federal income tax purposes attributable to such person's first-time home buyer savings account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 and (ii) interest income or other income for federal income tax purposes attributable to such person's first-time home buyer savings account.

Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any subtraction taken under this subdivision shall be subject to recapture in the taxable year or years in which moneys or funds withdrawn from the first-time home buyer savings account were used for any purpose other than the payment of eligible costs by or on behalf of a qualified beneficiary, as provided under § 36-174. The amount subject to recapture shall be a portion of the amount withdrawn in the taxable year that was used for other than the payment of eligible costs, computed by multiplying the amount withdrawn and used for other than the payment of eligible costs by the ratio of the aggregate earnings in the account at the time of the withdrawal to the total balance in the account at such time.

However, recapture shall not apply to the extent of moneys or funds withdrawn that were (i) withdrawn by reason of the qualified beneficiary's death or disability; (ii) a disbursement of assets of the account pursuant to a filing for protection under the United States Bankruptcy Code, 11 U.S.C. §§ 101 through 1330; or (iii) transferred from an account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 into another account established pursuant to such chapter for the benefit of another qualified beneficiary.

For purposes of this subdivision, "account holder," "eligible costs," "first-time home buyer savings account," and "qualified beneficiary" mean the same as those terms are defined in § 36-171.

26. For taxable years beginning on and after January 1, 2015, any income for the taxable year attributable to the discharge of a student loan solely by reason of the student's death. For purposes of this subdivision, "student loan" means the same as that term is defined under § 108(f) of the Internal Revenue Code.

27. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 27:

"Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment. "Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a similar field of study. The Department may require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a

Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

28. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or 27 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 28:

"Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust. In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

29. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

30. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to \$100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

## CHAPTER 15

*An Act to amend and reenact § 58.1-322.02 of the Code of Virginia, relating to income tax; military benefits subtraction.*

[S 528]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-322.02 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-322.02. Virginia taxable income; subtractions.**

In computing Virginia taxable income pursuant to § 58.1-322, to the extent included in federal adjusted gross income, there shall be subtracted:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission, or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States, including, but not limited to, stocks, bonds, treasury bills, and treasury notes but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations, of the Commonwealth or of any political subdivision or instrumentality of the Commonwealth.

3. Benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code.

4. Up to \$20,000 of disability income, as defined in § 22(c)(2)(B)(iii) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of § 58.1-322.03 may not also claim a subtraction under this subdivision.

5. The amount of any refund or credit for overpayment of income taxes imposed by the Commonwealth or any other taxing jurisdiction.

6. The amount of wages or salaries eligible for the federal Work Opportunity Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.

7. Any amount included therein less than \$600 from a prize awarded by the Virginia Lottery.

8. The wages or salaries received by any person for active and inactive service in the National Guard of the Commonwealth of Virginia, not to exceed the amount of income derived from 39 calendar days of such service or \$3,000, whichever amount is less; however, only those persons in the ranks of O3 and below shall be entitled to the deductions specified in this subdivision.

9. Amounts received by an individual, not to exceed \$1,000 for taxable years beginning on or before December 31, 2019, and \$5,000 for taxable years beginning on or after January 1, 2020, as a reward for information provided to a law-enforcement official or agency, or to a nonprofit corporation created exclusively to assist such law-enforcement official or agency, in the apprehension and conviction of perpetrators of crimes. This subdivision shall not apply to the following: an individual who is an employee of, or under contract with, a law-enforcement agency, a victim or

the perpetrator of the crime for which the reward was paid, or any person who is compensated for the investigation of crimes or accidents.

10. The amount of "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code and which shall be available to partners, shareholders of S corporations, and members of limited liability companies to the extent and in the same manner as other deductions may pass through to such partners, shareholders, and members.

11. Any income received during the taxable year derived from a qualified pension, profit-sharing, or stock bonus plan as described by § 401 of the Internal Revenue Code, an individual retirement account or annuity established under § 408 of the Internal Revenue Code, a deferred compensation plan as defined by § 457 of the Internal Revenue Code, or any federal government retirement program, the contributions to which were deductible from the taxpayer's federal adjusted gross income, but only to the extent the contributions to such plan or program were subject to taxation under the income tax in another state.

12. Any income attributable to a distribution of benefits or a refund from a prepaid tuition contract or savings trust account with the Virginia College Savings Plan, created pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. The subtraction for any income attributable to a refund shall be limited to income attributable to a refund in the event of a beneficiary's death, disability, or receipt of a scholarship.

13. All military pay and allowances, to the extent included in federal adjusted gross income and not otherwise subtracted, deducted, or exempted under this section, earned by military personnel while serving by order of the President of the United States with the consent of Congress in a combat zone or qualified hazardous duty area that is treated as a combat zone for federal tax purposes pursuant to § 112 of the Internal Revenue Code.

14. For taxable years beginning before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent that a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

15. Fifteen thousand dollars of military basic pay for military service personnel on extended active duty for periods in excess of 90 days; however, the subtraction amount shall be reduced dollar-for-dollar by the amount by which the taxpayer's military basic pay exceeds \$15,000 and shall be reduced to zero if such military basic pay amount is equal to or exceeds \$30,000.

16. The first \$15,000 of salary for each federal and state employee whose total annual salary from all employment for the taxable year is \$15,000 or less.

17. Unemployment benefits taxable pursuant to § 85 of the Internal Revenue Code.

18. *a.* Any amount received as military retirement income by an individual awarded the Congressional Medal of Honor.

*b.* For taxable years beginning on and after January 1, 2022, but before January 1, 2023, up to \$10,000 of military benefits; for taxable years beginning on and after January 1, 2023, but before January 1, 2024, up to \$20,000 of military benefits; for taxable years beginning on and after January 1, 2024, but before January 1, 2025, up to \$30,000 of military benefits; and for taxable years beginning on and after January 1, 2025, up to \$40,000 of military benefits. For purposes of this subdivision *b.*, "military benefits" means any (i) military retirement income received for service in the Armed Forces of the United States, (ii) qualified military benefits received pursuant to § 134 of the Internal Revenue Code, (iii) benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States under the Survivor Benefit Plan program established by the U.S. Department of Defense, and (iv) military benefits paid to the surviving spouse of a veteran of the Armed Forces of the United States. The subtraction allowed by this subdivision *b* shall be allowed only for military benefits received by an individual age 55 or older. No subtraction shall be allowed pursuant to this subdivision *b* if a credit, exemption, subtraction, or deduction is claimed for the same income pursuant to subdivision *a* or any other provision of Virginia or federal law.

19. Items of income attributable to, derived from, or in any way related to (i) assets stolen from, hidden from, or otherwise lost by an individual who was a victim or target of Nazi persecution or (ii) damages, reparations, or other consideration received by a victim or target of Nazi persecution to compensate such individual for performing labor against his will under the threat of death, during World War II and its prelude and direct aftermath. This subtraction shall not apply to assets acquired with such items of income or with the proceeds from the sale of assets stolen from, hidden from, or otherwise lost to, during World War II and its prelude and direct aftermath, a victim or target of Nazi persecution. The provisions of this subdivision shall only apply to an individual who was the first recipient of such items of income and who was a victim or target of Nazi persecution, or a spouse, surviving spouse, or child or stepchild of such victim.

As used in this subdivision:

"Nazi regime" means the country of Nazi Germany, areas occupied by Nazi Germany, those European countries allied with Nazi Germany, or any other neutral European country or area in Europe under the influence or threat of Nazi invasion.

"Victim or target of Nazi persecution" means any individual persecuted or targeted for persecution by the Nazi regime who had assets stolen from, hidden from, or otherwise lost as a result of any act or omission in any way relating to (i) the Holocaust, (ii) World War II and its prelude and direct aftermath, (iii) transactions with or actions of the Nazi regime, (iv) treatment of refugees fleeing Nazi persecution, or (v) the holding of such assets by entities or persons in the Swiss

Confederation during World War II and its prelude and aftermath. A "victim or target of Nazi persecution" also includes any individual forced into labor against his will, under the threat of death, during World War II and its prelude and direct aftermath.

20. The military death gratuity payment made after September 11, 2001, to the survivor of deceased military personnel killed in the line of duty, pursuant to 10 U.S.C. Chapter 75; however, the subtraction amount shall be reduced dollar-for-dollar by the amount that the survivor may exclude from his federal gross income in accordance with § 134 of the Internal Revenue Code.

21. The death benefit payments from an annuity contract that are received by a beneficiary of such contract, provided that (i) the death benefit payment is made pursuant to an annuity contract with an insurance company and (ii) the death benefit payment is paid solely by lump sum. The subtraction under this subdivision shall be allowed only for that portion of the death benefit payment that is included in federal adjusted gross income.

22. Any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals with the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. Any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. Any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income shall be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided that the business has its principal office or facility in the Commonwealth and less than \$3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment shall be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. For taxable years beginning on and after January 1, 2014, any income of an account holder for the taxable year taxed as (i) a capital gain for federal income tax purposes attributable to such person's first-time home buyer savings account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 and (ii) interest income or other income for federal income tax purposes attributable to such person's first-time home buyer savings account.

Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any subtraction taken under this subdivision shall be subject to recapture in the taxable year or years in which moneys or funds withdrawn from the first-time home buyer savings account were used for any purpose other than the payment of eligible costs by or on behalf of a qualified beneficiary, as provided under § 36-174. The amount subject to recapture shall be a portion of the amount withdrawn in the taxable year that was used for other than the payment of eligible costs, computed by multiplying the amount withdrawn and used for other than the payment of eligible costs by the ratio of the aggregate earnings in the account at the time of the withdrawal to the total balance in the account at such time.

However, recapture shall not apply to the extent of moneys or funds withdrawn that were (i) withdrawn by reason of the qualified beneficiary's death or disability; (ii) a disbursement of assets of the account pursuant to a filing for protection under the United States Bankruptcy Code, 11 U.S.C. §§ 101 through 1330; or (iii) transferred from an account established pursuant to Chapter 12 (§ 36-171 et seq.) of Title 36 into another account established pursuant to such chapter for the benefit of another qualified beneficiary.

For purposes of this subdivision, "account holder," "eligible costs," "first-time home buyer savings account," and "qualified beneficiary" mean the same as those terms are defined in § 36-171.

26. For taxable years beginning on and after January 1, 2015, any income for the taxable year attributable to the discharge of a student loan solely by reason of the student's death. For purposes of this subdivision, "student loan" means the same as that term is defined under § 108(f) of the Internal Revenue Code.

27. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 27:

"Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment. "Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund

shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a similar field of study. The Department may require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

28. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by a family member or an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision 24 or 27 or a tax credit under § 58.1-339.4 for the same investment.

b. As used in this subdivision 28:

"Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust. In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

29. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

30. For taxable years beginning on and after January 1, 2020, but before January 1, 2021, up to \$100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

## CHAPTER 16

*An Act to amend and reenact § 2.2-2339 of the Code of Virginia, relating to Fort Monroe Authority; duties; facilities management.*

[H 1206]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 2.2-2339 of the Code of Virginia is amended and reenacted as follows:**

**§ 2.2-2339. Duties of the Authority.**

The Authority shall have the power and duty:

1. To do all things necessary and proper to further an appreciation of the contributions of the first permanent English-speaking settlers as well as the Virginia Indians to the building of our Commonwealth and nation, to commemorate the establishment of the first coastal fortification in the English-speaking New World, to commemorate the lives of prominent Virginians who were connected to the largest moated fortification in the United States, to commemorate the important role of African Americans in the history of the site, including the "Contraband" slave decision in 1861 that earned Fort Monroe the designation as "Freedom's Fortress," to commemorate Old Point Comfort's role in establishing international trade and British maritime law in Virginia, and to commemorate almost 250 years of continuous service as a coastal defense fortification of the United States of America;

2. To hire and develop a professional staff including an executive director and such other staff as is necessary to discharge the responsibilities of the Authority;

3. To establish personnel policies and benefits for staff;

4. To oversee the preservation, conservation, protection, and maintenance of the Commonwealth's natural resources and real property interests at Fort Monroe and the renewal of Fort Monroe as a vibrant and thriving community;

5. To adopt an annual budget, which shall be submitted to the Chairmen of the Senate Committee on Finance and Appropriations and the House Committee on Appropriations and the Department of Planning and Budget by July 1 of each year;

6. To provide for additional, more complete, or more timely services than are generally available in the City of Hampton as a whole; ~~and~~

7. To create and manage a department within the Authority for the purpose of overseeing and managing all property and facilities provided, owned, operated, or financed by the Authority; and

8. To serve as the Commonwealth's management agent for all the land in the Area of Operation and for the implementation of actions and fulfillment of federal and state obligations for public and private land under the Fort Monroe Master Plan, Programmatic Agreement, Design Standards, Reuse Plan, State Memorandum of Understanding, and any other agreements regarding Fort Monroe to which the Commonwealth is a party, ensuring adherence to the findings, declarations, and policies set forth in this article, unless the Commonwealth and the Authority specifically agree in writing to the contrary.

## CHAPTER 17

*An Act to amend the Code of Virginia by adding a section numbered 56-265.4:7, relating to municipal corporations providing natural gas service; discontinuing service.*

[H 1257]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 56-265.4:7 as follows:**

**§ 56-265.4:7. Discontinuing natural gas service; municipal corporation.**

*A. No municipal corporation that provides natural gas service shall discontinue such service to any residential, commercial, or industrial customer prior to satisfying the following requirements:*

*1. Provide at least three years' notice, both by bill insert and by publication in a newspaper of general circulation in the area in which the municipal corporation provides service, of the municipal corporation's intention to discontinue service;*

*2. For two years following the publication of notice required by subdivision 1, attempt to negotiate the sale of its system facilities and associated rights such that service to its customers remains uninterrupted; and*

*3. If such sale as described in subdivision 2 is not accomplished within two years following the publication of notice required by subdivision 1, the municipal corporation may offer its system facilities and associated rights by auction to the highest bidder.*

*B. A municipal corporation that is seeking to discontinue natural gas service shall advise its customers by bill insert of its progress in effecting a sale of its system facilities and associated rights at least once annually following the publication of the notice required by subdivision A 1. Copies of the initial publication of such notice and of all subsequent bill inserts relating to discontinuing service and sale of system facilities by a municipal corporation shall be provided to the Commission at the time they are made.*

*C. Nothing in this section shall be construed to limit the rights of a municipal corporation that provides natural gas service from discontinuing service to a particular customer as the result of nonpayment of fees for services provided or any cause otherwise permitted by law or regulation.*

## CHAPTER 18

*An Act 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 tax credit for beneficial hardwood management practices.*

[H 1319]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.13 as follows:**

**§ 58.1-339.13. Reforestation and afforestation tax credit.**

*A. For the purposes of this section, "eligible expenditures" means direct expenses incurred by a taxpayer related to implementing beneficial hardwood management practices pursuant to best practices developed by the Department of Forestry.*

*B. In order to encourage the planting and sustainable growth of hardwood trees, which take longer to reach maturity and thus take a longer time for a taxpayer to recoup investment expenses, for taxable years beginning on and after January 1, 2022, but before January 1, 2025, a taxpayer shall be allowed a nonrefundable credit against the tax levied pursuant to § 58.1-320 for eligible expenditures. The credit shall equal the lesser of the eligible expenditures incurred by the taxpayer or \$1,000.*

*C. The total amount of tax credits available under this section for a taxable year shall not exceed \$1 million. Approved applications for such credits shall be administered and credits shall be allocated by the Department of Forestry on a first-come, first-served basis. In order to claim the credit, the taxpayer shall submit a forest management plan to the Department of Forestry for review. After approval of the plan, and completion of the implementation of the plan, the*

*Department of Forestry shall certify the forest management plan contains beneficial management practices as eligible for the credit. The taxpayer shall forward the certification to the Department on forms provided by the Department. Approval and implementation of a forest management plan shall be completed the same year in which the credit is claimed.*

*D. The amount of the credit that may be claimed in any single taxable year shall not exceed the taxpayer's liability for taxes imposed by this chapter for that taxable year. If the amount of the credit allowed under this section exceeds the taxpayer's tax liability for the taxable year in which the eligible expenditures occurred, the amount that exceeds the tax liability may be carried over for credit against the income taxes of the taxpayer in the next five taxable years or until the total amount of the tax credit has been taken, whichever is sooner.*

*E. To the extent that a taxpayer participates in the Hardwood Habitat Incentive Program, the taxpayer may claim the credit under this section for any remaining liability after such cost-share.*

*F. The Tax Commissioner, in coordination with the State Forester, shall develop guidelines for claiming the credit provided by this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).*

## CHAPTER 19

*An Act to amend and reenact §§ 2.2-3705.1 and 2.2-3808 of the Code of Virginia, relating to public agencies; privacy of personal donor information; penalty.*

[S 324]

Approved August 4, 2022

### **Be it enacted by the General Assembly of Virginia:**

#### **1. That §§ 2.2-3705.1 and 2.2-3808 of the Code of Virginia are amended and reenacted as follows:**

##### **§ 2.2-3705.1. Exclusions to application of chapter; exclusions of general application to public bodies.**

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Personnel information concerning identifiable individuals, except that access shall not be denied to the person who is the subject thereof. Any person who is the subject of such information and who is 18 years of age or older may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, such information shall be disclosed. Nothing in this subdivision shall be construed to authorize the withholding of any resumes or applications submitted by persons who are appointed by the Governor pursuant to § 2.2-106 or 2.2-107.

No provision of this chapter or any provision of Chapter 38 (§ 2.2-3800 et seq.) shall be construed as denying public access to (i) contracts between a public body and its officers or employees, other than contracts settling public employee employment disputes held confidential as personnel records under § 2.2-3705.1; (ii) records of the name, position, job classification, official salary, or rate of pay of, and records of the allowances or reimbursements for expenses paid to, any officer, official, or employee of a public body; or (iii) the compensation or benefits paid by any corporation organized by the Virginia Retirement System or its officers or employees. The provisions of this subdivision, however, shall not require public access to records of the official salaries or rates of pay of public employees whose annual rate of pay is \$10,000 or less.

2. Written advice of legal counsel to state, regional or local public bodies or the officers or employees of such public bodies, and any other information protected by the attorney-client privilege.

3. Legal memoranda and other work product compiled specifically for use in litigation or for use in an active administrative investigation concerning a matter that is properly the subject of a closed meeting under § 2.2-3711.

4. Any test or examination used, administered or prepared by any public body for purposes of evaluation of (i) any student or any student's performance, (ii) any employee or employment seeker's qualifications or aptitude for employment, retention, or promotion, or (iii) qualifications for any license or certificate issued by a public body.

As used in this subdivision, "test or examination" shall include (a) any scoring key for any such test or examination and (b) any other document that would jeopardize the security of the test or examination. Nothing contained in this subdivision shall prohibit the release of test scores or results as provided by law, or limit access to individual records as provided by law. However, the subject of such employment tests shall be entitled to review and inspect all records relative to his performance on such employment tests.

When, in the reasonable opinion of such public body, any such test or examination no longer has any potential for future use, and the security of future tests or examinations will not be jeopardized, the test or examination shall be made available to the public. However, minimum competency tests administered to public school children shall be made available to the public contemporaneously with statewide release of the scores of those taking such tests, but in no event shall such tests be made available to the public later than six months after the administration of such tests.

5. Records recorded in or compiled exclusively for use in closed meetings lawfully held pursuant to § 2.2-3711. However, no record that is otherwise open to inspection under this chapter shall be deemed exempt by virtue of the fact that it has been reviewed or discussed in a closed meeting.

6. Vendor proprietary information software that may be in the public records of a public body. For the purpose of this subdivision, "vendor proprietary information software" means computer programs acquired from a vendor for purposes of processing data for agencies or political subdivisions of the Commonwealth.

7. Computer software developed by or for a state agency, public institution of higher education in the Commonwealth, or political subdivision of the Commonwealth.

8. Appraisals and cost estimates of real property subject to a proposed purchase, sale, or lease, prior to the completion of such purchase, sale, or lease.

9. Information concerning reserves established in specific claims administered by the Department of the Treasury through its Division of Risk Management as provided in Article 5 (§ 2.2-1832 et seq.) of Chapter 18, or by any county, city, or town; and investigative notes, correspondence and information furnished in confidence with respect to an investigation of a claim or a potential claim against a public body's insurance policy or self-insurance plan. However, nothing in this subdivision shall prevent the disclosure of information taken from inactive reports upon expiration of the period of limitations for the filing of a civil suit.

10. Personal contact information furnished to a public body or any of its members for the purpose of receiving electronic communications from the public body or any of its members, unless the recipient of such electronic communications indicates his approval for the public body to disclose such information. However, access shall not be denied to the person who is the subject of the record. As used in this subdivision, "personal contact information" means the information provided to the public body or any of its members for the purpose of receiving electronic communications from the public body or any of its members and includes home or business (i) address, (ii) email address, or (iii) telephone number or comparable number assigned to any other electronic communication device.

11. Communications and materials required to be kept confidential pursuant to § 2.2-4119 of the Virginia Administrative Dispute Resolution Act (§ 2.2-4115 et seq.).

12. Information relating to the negotiation and award of a specific contract where competition or bargaining is involved and where the release of such information would adversely affect the bargaining position or negotiating strategy of the public body. Such information shall not be withheld after the public body has made a decision to award or not to award the contract. In the case of procurement transactions conducted pursuant to the Virginia Public Procurement Act (§ 2.2-4300 et seq.), the provisions of this subdivision shall not apply, and any release of information relating to such transactions shall be governed by the Virginia Public Procurement Act.

13. Account numbers or routing information for any credit card, debit card, or other account with a financial institution of any person or public body. However, access shall not be denied to the person who is the subject of the information. For the purposes of this subdivision, "financial institution" means any organization authorized to do business under state or federal laws relating to financial institutions, including, without limitation, banks and trust companies, savings banks, savings and loan companies or associations, and credit unions.

14. *Names and data of any kind that directly or indirectly identify an individual as a member, supporter, or volunteer of, or donor of financial or nonfinancial support to, any entity exempt from federal income tax pursuant to § 501(c) of the Internal Revenue Code, except for those entities established by or for, or in support of, a public body as authorized by state law, not to include a nonprofit foundation designed to support an institution of higher education or other educational or cultural institution subject to Title 23.1.*

**§ 2.2-3808. Collection, disclosure, or display of social security number; personal identifying information of donors; penalty.**

A. It shall be unlawful for any agency to:

1. Require an individual to disclose or furnish his social security number not previously disclosed or furnished, for any purpose in connection with any activity, or to refuse any service, privilege, or right to an individual wholly or partly because the individual does not disclose or furnish such number, unless the disclosure or furnishing of such number is specifically required by state law in effect prior to January 1, 1975, or is specifically authorized or required by federal law; ~~or~~

2. Collect from an individual his social security number or any portion thereof unless the collection of such number is (i) authorized or required by state or federal law and (ii) essential for the performance of that agency's duties. Nothing in this subdivision shall be construed to prohibit the collection of a social security number for the sole purpose of complying with the Virginia Debt Collection Act (§ 2.2-4800 et seq.) or the Setoff Debt Collection Act (§ 58.1-520 et seq.);

3. *Require any individual or any entity organized under § 501(c) of the Internal Revenue Code to provide the agency with personal donor information;*

4. *Require any bidder, offeror, contractor, or grantee of an agency to provide the agency with personal donor information; or*

5. *Disclose personal donor information without the express, written permission of every individual who is identifiable from the potential release of such personal donor information, including individuals identifiable as members, supporters, or volunteers of, or donors to, the agency.*

B. Agency-issued identification cards, student identification cards, or license certificates issued or replaced on or after July 1, 2003, shall not display an individual's entire social security number except as provided in § 46.2-703.

C. Any agency-issued identification card, student identification card, or license certificate that was issued prior to July 1, 2003, and that displays an individual's entire social security number shall be replaced no later than July 1, 2006, except that voter registration cards issued with a social security number and not previously replaced shall be replaced no



later than the December 31st following the completion by the state and all localities of the decennial redistricting following the 2010 census. This subsection shall not apply to (i) driver's licenses and special identification cards issued by the Department of Motor Vehicles pursuant to Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 and (ii) road tax registrations issued pursuant to § 46.2-703.

D. No agency, as defined in § 42.1-77, shall send or deliver or cause to be sent or delivered, any letter, envelope, or package that displays a social security number on the face of the mailing envelope or package or from which a social security number is visible, whether on the outside or inside of the mailing envelope or package.

E. The provisions of subsections A and C shall not be applicable to licenses:

1. Any license issued by the State Corporation Commission's Bureau of Insurance until such time as a national insurance producer identification number has been created and implemented in all states. Commencing with the date of such implementation, the licenses issued by the State Corporation Commission's Bureau of Insurance shall be issued in compliance with subsection A of this section. Further, all licenses issued prior to the date of such implementation shall be replaced no later than 12 months following the date of such implementation;

2. Any lawful warrant for personal donor information issued by a court of competent jurisdiction;

3. Any lawful request for discovery of personal donor information in litigation if (i) the requester demonstrates a compelling need for the personal donor information by clear and convincing evidence and (ii) the requester obtains a protective order barring disclosure of personal donor information to any person not directly involved in the litigation. As used in this subdivision, "person" means an individual, partnership, corporation, association, governmental entity, or other legal entity;

4. Any admission of relevant personal donor information as evidence before a court of competent jurisdiction;

5. Any lawful investigation or enforcement action conducted pursuant to subsection C or D of § 57-59; or

6. Any form prescribed by the Virginia Conflict of Interest and Ethics Advisory Council.

F. A person alleging a violation of this section may bring a civil action for appropriate injunctive relief. A court rendering judgment in favor of a complainant pursuant to this subsection shall award all or a portion of the costs of litigation, including reasonable attorney fees and witness fees, to the complainant.

G. A person who knowingly violates this section is guilty of a misdemeanor punishable by imprisonment of up to 90 days, a fine up to \$1,000, or both.

H. Nothing in this section shall apply to the Campaign Finance Disclosure Act of 2006 (§ 24.2-945 et seq.).

I. As used in this section, "personal donor information" means names and data of any kind collected for the purpose of directly or indirectly identifying an individual as a member, supporter, or volunteer of, or donor of financial or nonfinancial support to, any entity exempt from federal income tax pursuant to § 501(c) of the Internal Revenue Code.

## CHAPTER 20

*An Act to amend and reenact §§ 22.1-147, 22.1-148, and 22.1-150 of the Code of Virginia, relating to the Literary Fund; loans.*

[S 471]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 22.1-147, 22.1-148, and 22.1-150 of the Code of Virginia are amended and reenacted as follows:**

**§ 22.1-147. Application for and distribution of funds.**

A. The Board shall establish an annual open application process for Literary Fund loans that shall occur during the period that the Board deems most suitable. The Board shall prioritize applications on the basis of the composite index of local ability-to-pay.

B. The Board of Education shall provide for an equitable distribution of the funds loaned or provided as loan interest rate subsidy payments from the Literary Fund among the several school divisions. In providing for such equitable distribution, the Board shall impose a maximum limit of not more than ~~\$7.5~~ \$25 million on the amount of any loan from the Literary Fund. The Board shall offer a loan add-on not to exceed \$5 million per loan for projects that result in school consolidation and the net reduction of at least one existing school.

**§ 22.1-148. Restrictions upon making loans; retirement of previous loans; waiting lists.**

A. No loan from the Literary Fund shall exceed ~~100%~~ 100 percent of the cost of the building, addition thereto, and site ~~on account of for~~ which such loan is made. No loan shall be made from the Literary Fund to aid in the erection of a building or addition ~~to cost that costs~~ less than \$500. Whenever a loan is made from the Literary Fund for the purpose of enlarging a building, any part of the proceeds of such loan may, in the discretion of the Board, be used to retire any previous loan or loans on such building although not matured at the time of such additional loan. The Board may refuse to make any loan from the Literary Fund to any school board ~~which that~~ is in default in the payment of any part of the principal of any previous loan from the Literary Fund or which for the two years next preceding the loan has been more than six months in default in the payment of interest due on any loan from the Literary Fund.

B. Any school division ~~which~~ *that* has an application for a Literary Fund loan for an approved school project pending before the Board of Education shall not be denied or delayed in obtaining such loan solely for the reason that alternative financing had been obtained to begin or complete construction on such project.

C. *Notwithstanding the provisions of subsection B, the Board may remove any project that has been inactive for at least five years from any project waiting list that it maintains.*

**§ 22.1-150. Rate of interest.**

The Board of Education is ~~authorized in its discretion to fix the interest rate on all loans made from the Literary Fund at not less than two per centum per annum and not more than six per centum per annum, payable annually, in consultation with the Department of Treasury, shall establish loan interest rates that are benchmarked to a market index on an annual basis, not to exceed two percent per year for the localities with a school division composite index of local ability-to-pay between 0.0 and 0.299. The Board shall utilize a sliding scale based on the local school division's composite index of local ability-to-pay to determine the interest rate on each such loan.~~ Every loan made under the provisions of this chapter by selling the bonds, notes, or other evidences of debt of school boards for investment of the trust funds of the Virginia Retirement System shall bear interest at a rate not to exceed ~~six per centum~~ *the maximum interest rate per year as established by the Board.*

**2. That the Board of Education shall make such amendments to its Regulations Governing Literary Loan Applications in Virginia (8VAC20-100) as are necessary to effectuate the provisions of the first enactment of this act.**

## CHAPTER 21

*An Act to amend and reenact § 22.1-253.13:2 of the Code of Virginia, relating to the Standards of Quality; employment of principals.*

[S 490]

Approved August 4, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That § 22.1-253.13:2 of the Code of Virginia is amended and reenacted as follows:**

**§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.**

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, school counselors, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this subsection, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with this subsection.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. (Effective until July 1, 2022) Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act. Calculations of kindergarten positions shall be based on full-day kindergarten programs. Beginning with the March 31 report of average daily membership, those school divisions offering half-day kindergarten with pupil/teacher ratios that exceed 30 to one shall adjust their average daily membership for kindergarten to reflect 85 percent of the total kindergarten average daily memberships, as provided in the appropriation act.

D. (Effective July 1, 2022) Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time

equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may employ mathematics teacher specialists to provide the required algebra readiness intervention services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the general appropriation act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the 2020-2021 school year for each 1,000 students identified as having limited English proficiency and (ii) 20 full-time equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000 students identified as having limited English proficiency, which positions may include dual language teachers who provide instruction in English and in a second language.

To provide flexibility in the instruction of English language learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English language learner teachers or dual language teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided in this section. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel licensed by the Board of Education.

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ the following reading specialists in elementary schools, one full-time in each elementary school at the discretion of the local school board. One reading specialist employed by each local school board that employs a reading specialist shall have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for students with dyslexia.

To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the Board of Education.

H. Each local school board shall employ, at a minimum, the following full-time equivalent positions for any school that reports fall membership, according to the type of school and student enrollment:

1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students; principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high schools, one full-time in each elementary school, middle school, and high school, to be employed on a 12-month basis;

2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students; and school divisions that employ a sufficient number of assistant principals to meet this staffing requirement may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary;

3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to meet this staffing requirement may assign librarians to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

4. School counselors:

a. Effective with the 2020-2021 school year, in elementary schools, one hour per day per 75 students, one full-time at 375 students, one hour per day additional time per 75 students or major fraction thereof; in middle schools, one period per 65 students, one full-time at 325 students, one additional period per 65 students or major fraction thereof; in high schools, one period per 60 students, one full-time at 300 students, one additional period per 60 students or major fraction thereof.

b. Effective with the 2021-2022 school year, local school boards shall employ one full-time equivalent school counselor position per 325 students in grades kindergarten through 12.

c. Local school divisions that employ a sufficient number of school counselors to meet the school counselor staffing requirements set forth in this subdivision may assign school counselors to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or high schools.

I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher.

To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these funds in this manner shall employ only instructional personnel licensed by the Board of Education.

K. Local school boards may employ additional positions that exceed these minimal staffing requirements. These additional positions may include, but are not limited to, those funded through the state's incentive and categorical programs as set forth in the appropriation act.

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for school counselors, and shall be based on the school's total enrollment; school counselor staff requirements shall, however, be based on the enrollment at the various school organization levels, i.e., elementary, middle, or high school. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

M. School boards shall, however, annually, on or before December 31, report to the public (i) the actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local school division by school for the current school year. Actual pupil/teacher ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education course shall be counted in the ADM in the relevant school division on a pro rata basis as provided in the appropriation act. Each such course enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home school student shall be counted as more than one-half a student for purposes of such pro rata calculation. Such calculation shall not include enrollments of such students in any other public school courses.

O. Each school board shall provide at least three specialized student support positions per 1,000 students. For purposes of this subsection, specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions, which may either be employed by the school board or provided through contracted services.

P. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services positions" shall include the following:

1. Executive policy and leadership positions, including school board members, superintendents and assistant superintendents;

2. Fiscal and human resources positions, including fiscal and audit operations;

3. Student support positions, including (i) social work administrative positions not included in subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii) homebound administrative positions supporting instruction; (iv) attendance support positions related to truancy and dropout prevention; and (v) health and behavioral administrative positions not included in subsection O;

4. Instructional personnel support, including professional development positions and library and media positions not included in subdivision H 3;

5. Technology professional positions not included in subsection J;

6. Operation and maintenance positions, including facilities; pupil transportation positions; operation and maintenance professional and service positions; and security service, trade, and laborer positions;

7. Technical and clerical positions for fiscal and human resources, student support, instructional personnel support, operation and maintenance, administration, and technology; and

8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students. Local school divisions that employ a sufficient number of school-based clerical personnel to meet this staffing requirement may assign the clerical

personnel to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.

Pursuant to the appropriation act, support services shall be funded from basic school aid.

School divisions may use the state and local funds for support services to provide additional instructional services.

Q. Notwithstanding the provisions of this section, when determining the assignment of instructional and other licensed personnel in subsections C through J, a local school board shall not be required to include full-time students of approved virtual school programs.

## CHAPTER 22

*An Act to provide income tax refunds for individuals or married persons filing a joint return.*

[S 579]

Approved August 4, 2022

### **Be it enacted by the General Assembly of Virginia:**

**1.** § 1. *That, if provided for in the general appropriation act, in addition to any refund due pursuant to § 58.1-309 of the Code of Virginia, and for taxable years beginning on and after January 1, 2021, but before January 1, 2022, an individual filing a final Virginia income tax return before November 1, 2022, or married persons filing a final Virginia income tax joint return before November 1, 2022, shall be issued a refund in an amount specifically set forth in such appropriation act. An individual shall only be allowed a refund pursuant to this act up to the amount of such individual's tax liability after the application of any deductions, subtractions, or credits to which the individual is entitled pursuant to Chapter 3 (§ 58.1-300 et seq.) of Title 58.1 of the Code of Virginia. Married persons filing a joint return shall only be allowed a refund pursuant to this act up to the amount of such married persons' tax liability after the application of any deductions, subtractions, or credits to which the married persons are entitled pursuant to Chapter 3 of Title 58.1 of the Code of Virginia. Any refund issued pursuant to this act shall be subject to collection under the provisions of the Setoff Debt Collection Act (§ 58.1-520 et seq. of the Code of Virginia).*

## CERTIFICATION OF THE ACTS OF ASSEMBLY

## 2022 SPECIAL SESSION I

I, G. Paul Nardo, Clerk of the House of Delegates and Keeper of the Rolls of the Commonwealth, do hereby certify that the 2022 Special Session I of the General Assembly of the Commonwealth of Virginia, at which the Acts of Assembly herein printed were enacted, convened on Monday, April 4, 2022, and the House of Delegates adjourned sine die on Wednesday, September 7, 2022, and the Senate adjourned sine die on Monday, December 11, 2023.

G. PAUL NARDO  
*Clerk of the House of Delegates*  
*and*  
*Keeper of the Rolls of the Commonwealth*

---

Note: Except as otherwise provided therein, all Acts of the 2022 Special Session I of the General Assembly, became effective at the first moment of July 1, 2023, per guidance from the Virginia Code Commission.

The Act contained in Chapter 1 was signed by the Governor on June 17, 2022, pursuant to Section 6 (b) (iii) of Article V of the Constitution of Virginia.

The Act contained in Chapter 2 was signed by the Governor on June 22, 2022, pursuant to Section 6 (b) (iii) of Article V of the Constitution of Virginia.

**RESOLUTIONS OF THE GENERAL ASSEMBLY  
2022 SPECIAL SESSION I**

**HOUSE JOINT RESOLUTION NO. 6001**

*Limiting legislation to be considered by the 2022 Special Session I of the General Assembly and establishing a schedule for the conduct of business coming before such Special Session.*

Agreed to by the House of Delegates, April 4, 2022

Agreed to by the Senate, April 4, 2022

RESOLVED by the House of Delegates, the Senate concurring, That during the 2022 Special Session I of the General Assembly, summoned by proclamation of the Governor on March 23, 2022, commencing on April 4, 2022, except with the unanimous consent of the house in which the legislation is offered, no bill, joint resolution, or resolution shall be offered or considered in either house during the Special Session other than those relating to (i) conference reports continued from the 2022 Regular Session, including H.B. 29 and H.B. 30; (ii) any such legislation as may be communicated from the Governor; (iii) single-house commending and memorial resolutions; (iv) the rules of procedure or schedule of business of the General Assembly or any of its committees; (v) the election of judges and other officials subject to the election of the General Assembly; or (vi) appointments subject to the confirmation of the General Assembly; and, be it

RESOLVED FURTHER, That after the Special Session is convened for the first time, each body may adjourn 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; and, be it

RESOLVED FURTHER, That any conference committee on the Budget Bills 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 Bills shall be required in either house, and any conference on the Budget Bills shall consider, as the basis of its deliberations, the Budget Bills 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 regular or a special session; and, be it

RESOLVED FINALLY, That for purposes of this resolution:

"Budget Bill" means the general appropriation bill introduced in each house that authorizes the biennial expenditure of public revenues for the period from July 1, 2020, through June 30, 2022, or July 1, 2022, through June 30, 2024.

**HOUSE JOINT RESOLUTION NO. 6002**

*Election of General District Court Judges.*

Agreed to by the House of Delegates, June 1, 2022

Agreed to by the Senate, June 1, 2022

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly shall proceed this day

To the election of General District Court judges for terms of six years commencing as follows:

One judge for the Sixth Judicial District, term commencing July 1, 2022.

One judge for the Nineteenth Judicial District, term commencing August 1, 2022.

And that in the execution of the joint order nominations shall be made in the order herein named, and that each house shall be notified of said nominations, and when the rolls shall be called for the whole number, the presiding officers of each house shall appoint a committee of three, which together shall constitute the joint committee to count the vote of each house in each case and report the results to their respective houses. The joint order may be suspended by the presiding officer of either house at any time but for no longer than twenty-four hours to receive the report of the joint committee.

**HOUSE JOINT RESOLUTION NO. 6004**

*Election of Supreme Court of Virginia Justices, a Court of Appeals of Virginia Judge, a Circuit Court Judge, and a General District Court Judge.*

Agreed to by the House of Delegates, June 17, 2022

Agreed to by the Senate, June 17, 2022

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly shall proceed this day

To the election of Supreme Court of Virginia justices for terms of twelve years commencing as follows:

One justice, term commencing August 1, 2022.

One justice, term commencing July 1, 2022.

To the election of a Court of Appeals of Virginia judge for a term of eight years commencing July 1, 2022.

To the election of a Circuit Court judge of the Nineteenth Judicial Circuit for a term of eight years commencing August 1, 2022.

To the election of a General District Court judge of the Nineteenth Judicial District for a term of six years commencing August 1, 2022.

And that in the execution of the joint order nominations shall be made in the order herein named, and that each house shall be notified of said nominations, and when the rolls shall be called for the whole number, the presiding officers of each house shall appoint a committee of three, which together shall constitute the joint committee to count the vote of each house in each case and report the results to their respective houses. The joint order may be suspended by the presiding officer of either house at any time but for no longer than twenty-four hours to receive the report of the joint committee.

**HOUSE JOINT RESOLUTION NO. 6005**

*Election of Circuit Court Judges, a General District Court Judge, and a Juvenile and Domestic Relations District Court Judge.*

Agreed to by the House of Delegates, September 7, 2022

Agreed to by the Senate, September 7, 2022

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly shall proceed today

To the election of Circuit Court judges for terms of eight years commencing as follows:

One judge for the Tenth Judicial Circuit, term commencing October 1, 2022.

One judge for the Twentieth Judicial Circuit, term commencing December 1, 2022.

To the election of a General District Court judge for the Twentieth Judicial District for a term of six years commencing on December 1, 2022.

To the election of a Juvenile and Domestic Relations District Court judge for the Tenth Judicial District for a term of six years commencing October 1, 2022.

And that in the execution of the joint order nominations shall be made in the order herein named, and that each house shall be notified of said nominations, and when the rolls shall be called for the whole number, the presiding officers of each house shall appoint a committee of three, which together shall constitute the joint committee to count the vote of each house in each case and report the results to their respective houses. The joint order may be suspended by the presiding officer of either house at any time but for no longer than twenty-four hours to receive the report of the joint committee.

**HOUSE RESOLUTION NO. 601**

*Salaries, contingent and incidental expenses; per diem payment during Special Session I.*

Agreed to by the House of Delegates, April 4, 2022

RESOLVED by the House of Delegates, That the Comptroller is directed to issue his warrants on the Treasurer, payable from the contingent fund of the House to accomplish the work of the House of Delegates during the 2022 Special Session I of the General Assembly. Necessary payments to cover salaries of temporary employees, as well as contingent and incidental expenses, will be certified by the Clerk or his designee; and, be it

RESOLVED FINALLY, That members of the House of Delegates shall receive session per diem 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 House of Delegates during a recess of the special session. However, members may receive compensation while the House of Delegates is in recess, as provided in § 30-19.12 of the Code of Virginia and in the 2020-2022 Appropriation Act, as follows: (i) members of any standing committee; (ii) members of any committee of conference; or (iii) members of any legislative committee, commission, or council established by the General Assembly.



**HOUSE RESOLUTION NO. 602**

*Celebrating the life of John Tilghman Hazel, Jr.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, John Tilghman Hazel, Jr., a beloved member of the Fauquier County community who made an indelible impact on Northern Virginia as an attorney and developer, died on March 15, 2022; and

WHEREAS, John Tilghman "Til" Hazel, Jr., graduated from the former Washington-Lee High School in Arlington in 1947 before earning a bachelor's degree from Harvard College in 1951 and a juris doctor degree from Harvard Law School in 1954; and

WHEREAS, after graduation, Til Hazel served with the Judge Advocate General's Corps of the United States Army for three years before leaving for the Northern Virginia law firm of Jesse, Phillips, Klinge, and Kendrick in 1957, where he started as a general practicing attorney but soon honed a specialty in real estate and zoning law; and

WHEREAS, after a brief tenure as a general district court judge in Fairfax County from 1961 to 1963, Til Hazel returned to private practice, forming the firm Hazel, Beckhorn & Hanes in 1966, which was headquartered in Fairfax County and specialized in all aspects of real estate law; and

WHEREAS, under Til Hazel's leadership, Hazel, Beckhorn & Hanes grew to employ 65 lawyers by 1987, the same year that the firm merged with Thomas & Fiske of Alexandria to form the firm Hazel, Thomas, Fiske, Beckhorn & Hanes, which was later shortened to Hazel & Thomas PC in 1990; and

WHEREAS, Til Hazel facilitated the merger of Hazel & Thomas PC with the Pittsburgh-based Reed Smith Shaw & McClay LLP in 1999, forming what is now known as Reed Smith, an international law firm that employs more than 1,000 attorneys worldwide; and

WHEREAS, recognized during his career as one of the preeminent zoning lawyers in the Commonwealth, Til Hazel represented developers responsible for the creation of the Capital Beltway, Tysons Corner Center, and other regional landmarks; and

WHEREAS, becoming a developer in his own right in the 1970s with the founding of the real estate development firm Hazel/Peterson Companies, Til Hazel helped to transform Northern Virginia into one of the strongest regional economies in the nation by building highways, shopping centers, and suburban subdivisions such as Burke Centre, Franklin Farm, and Fair Lakes; and

WHEREAS, Til Hazel was the first Virginian to serve as the president of the Greater Washington Board of Trade, the founder and chairman of the Virginia Business Higher Education Council, and a board member for various organizations, including the University of Virginia's Miller Center Foundation, the National Air and Space Museum, the Corcoran Gallery, and the Washington Airports Task Force; and

WHEREAS, Til Hazel was a tireless education advocate whose philanthropic efforts included supporting George Mason University as it grew into the world-class institution that it is today and guiding elite secondary schools such as Flint Hill School in Oakton, St. Stephen's School in Alexandria, Thomas Jefferson High School of Science and Technology in Alexandria, and Fredericksburg Academy in Spotsylvania County; and

WHEREAS, Til Hazel's accomplishments have been recognized by myriad honors over the years, including the 1987 Community Leadership Award from the Community Foundation for Northern Virginia, induction into the Washington Business Hall of Fame, and honorary degrees from The College of William & Mary, Christopher Newport University, and the Virginia Community College System; and

WHEREAS, preceded in death by his first wife, Marion, and his second wife, Anne, Til Hazel will be fondly remembered and dearly missed by his children, Leigh Ann, John III, James, Richard, Randolph, and William, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of John Tilghman Hazel, Jr., a pillar of the Northern Virginia community whose tireless dedication shaped the region for years to come; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of John Tilghman Hazel, Jr., as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 603**

*Commending the Blessed Sacrament Huguenot School football team.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Blessed Sacrament Huguenot School football team of Powhatan celebrated its first state championship in the Virginia Independent Schools Football League in 2022; and

WHEREAS, the Blessed Sacrament Huguenot School Knights, who compete in the eight-man football program of the Virginia Independent Schools Football League (VISFL), bested the team from Kenston Forest School of Blackstone by a score of 54-12 to win the league's Division II championship; and

WHEREAS, the Blessed Sacrament Huguenot Knights beat the Kavaliers of Kenston Forest in the title game at Dinwiddie Sports Complex, despite having lost to the Kavaliers 26-16 at a regular season game in Powhatan just two weeks earlier; and

WHEREAS, the Blessed Sacrament Huguenot Knights thereby completed the season with a 10-1 record under Coach Gary Brock; and

WHEREAS, Coach Brock recounted that, "The Knights rolled into the State Championship game with momentum and a mind set on revenge for their only loss led by a dominant offensive and defensive line"; and

WHEREAS, Coach Brock continued, "The Knights' offense was led by running backs Harrison Lee (203 yards and two touchdowns), Zander Nadeau (142 yards and three touchdowns), and Josh Decker (100 yards and two touchdowns), while the defense was led by Garrett Musselman (12 tackles), Decker (11 tackles), David Mann (eight tackles), Lee (six tackles), Gage Smith (six tackles), and Julian Alcazar (five tackles)"; and

WHEREAS, the Blessed Sacrament Huguenot Knights' 2021-2022 season performances included eight straight wins, 30-8 over The Covenant School, 50-16 over Broadwater Academy, 60-0 over Brunswick Academy, 68-6 over Covenant, 20-12 over Virginia Episcopal School, a win by forfeit, 60-6 over Richmond Christian School, and 62-28 over Southampton Academy before losing the regular season finale to Kenston Forest by 26-16; and

WHEREAS, the Blessed Sacrament Huguenot Knights beat Greenbrier Christian Academy 56-0 in the first postseason game to make their way to the victorious title game with Kenston Forest; and

WHEREAS, the Blessed Sacrament Huguenot Knights participate in an eight-man-per-lineup league, but Coach Brock noted, "Aside from the numbers, eight-man football isn't much different than its 11-man counterpart"; and

WHEREAS, Coach Brock was coach of the Blessed Sacrament Huguenot Knights from 1977 to 1995 and returned to the Blessed Sacrament Huguenot School a few seasons ago; and

WHEREAS, the Blessed Sacrament Huguenot Knights' football program is led by James Poore, athletic director; Michael Kemp, assistant coach; Patrick Winterrowd, defensive coordinator; Kristina Dillard and Dr. Raymond Decker, trainers; and Makayla Gregory and Aiden Longshore, managers; and

WHEREAS, the full 19-member roster of the Blessed Sacrament Huguenot Knights includes Julian Alcazar, senior; Nathan Barras, junior; Ethan Bishop, senior; Hunter Case, sophomore; Josh Decker, senior; Alex Edwards, sophomore; Will Fichter, sophomore; Parker Gill, sophomore; Afton Harrow, sophomore; Jeb Hatfield, junior; Mason Hogan, sophomore; Justin Johnson, junior; Harrison Lee, senior; David Mann, junior; Patrick Maynes, senior; Garrett Musselman, senior; Zander Nadeau, senior; Nathan Roberts, junior; and Gage Smith, senior; and

WHEREAS, the Players of the Game for the Knights included Case (offense) and Roberts (defense), versus Covenant; Case (offense) and Decker (defense), versus Broadwater; Lee (offense) and Mann and Musselman (defense), versus Brunswick; Case (offense) and Decker (defense) in the second game against Covenant; Decker (offense) and Smith (defense), versus Virginia Episcopal School; Nadeau (offense) and Roberts (defense), versus Richmond Christian School; Decker and Harrow (offense) and Lee (defense) versus Southampton; Nadeau (offense) and Musselman (defense) versus Kenston Forrest; Case (offense) and Alcazar (defense) versus Greenbrier; and, in the title game against Kenston Forest, Lee (offense) and Decker and Musselman (defense); now, therefore, be it

RESOLVED by the House of Delegates, That the Blessed Sacrament Huguenot School football team hereby be commended on winning the 2021-2022 Virginia Independent Schools Football League state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Gary Brock, head coach of the Blessed Sacrament Huguenot School football team, as an expression of the House of Delegates' admiration for the team's achievements and congratulations on its hard-won and well-deserved state title.

### HOUSE RESOLUTION NO. 604

*Commemorating the life and legacy of Whittaker Chambers.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, in every traditional culture there has arisen, from time to time, a man or woman gifted with prophetic vision; and

WHEREAS, it is prophecy, not necessarily to see into the future, but to recognize within the present era of history the contending, transcendent principles of truth and falsehood and reality and fantasy; and

WHEREAS, to bear witness to the intuition of prophecy invariably incurs for the prophet the praise of some and the opposition of many; and

WHEREAS, in recent history, such a prophet was Whittaker Chambers (1901-1961), a man of titanic intelligence and courage, who identified the underlying forces that twice led to a world at war and accounted for the complexity of the long Cold War that ensued; and

WHEREAS, it was Whittaker Chambers who provided the witness—affirmed by many, doubted still by some—to the origins and extent to which Marxist materialism as practiced by the Soviet Union had suborned individuals in the highest echelons of the United States government, United States State Department official Alger Hiss preeminent among them; and

WHEREAS, it was Whittaker Chambers who strove further to assert that the attractiveness of Communist ideology to many intellectuals of his time was rooted in the coarseness of American culture and the insecurity, alike for individuals and the whole of American society, of unbridled capitalism, for he noted, "The West believes its destiny is prosperity and an abundance of goods. So does the [Soviet] Politburo"; and

WHEREAS, Whittaker Chambers spoke and wrote from hard experience, having himself joined the Communist Party in 1925, shortly after leaving Columbia University, wherein, he later wrote, he encountered no professor who could explain to him the qualities necessary to renew and sustain Western culture and civilization; and

WHEREAS, Whittaker Chambers wrote for Communist journals in the United States and, for several years, was part of an "underground" network of agents—spies—for the Soviet Union; and

WHEREAS, having become disillusioned with Communism and with much of life itself, Whittaker Chambers broke from the Communist Party in 1938 and took his family into hiding, emerging to join the staff of *Time* magazine in 1939 as war loomed in Europe; and

WHEREAS, though *Witness*—a book about Whittaker Chambers' life as a Communist and his testimony before the House Un-American Activities Committee in 1948—remains his masterpiece, Whittaker Chambers strove in other works, principally the posthumously published *Cold Friday*, to bear the witness that the materialistic idealism that took root in the Russian Revolution and the Marxist-Leninism of the Soviet Union originated in the West, not the East; and

WHEREAS, Whittaker Chambers in *Cold Friday* observes that, ". . . my century . . . is unique in history for two reasons. It is the first century since life began when a decisive part of the most articulate section of mankind has not merely ceased to believe in God but has deliberately rejected God. And it is the century in which this religious rejection has taken a specifically political form," namely, the form of "revolution"; and

WHEREAS, Whittaker Chambers wrote that, though Soviet Communism threatened the West, the Marxist-Leninist revolution was actually a phase of "a greater revolution, whose ideas and intellectual force and physical force . . . derive their force from the modern Western mind. It is that mind which it is everywhere substituting for the mind of the earlier Christian world"; and

WHEREAS, to Whittaker Chambers, "the enlightened, articulate elite [of the West] has rejected the religious roots of the civilization—the roots without it is no longer Western civilization, but a new order of beliefs, attitudes, and mandates [and] this is the order of which Communism is one logical expression, originating not in Russia but in the capitals of the West, reaching Russia by clandestine delivery via the old underground centers in Cracow, Vienna, Berne, Zurich, and Geneva"; and

WHEREAS, "It is," Whittaker Chambers elaborated, "a Western body of belief that now threatens the West . . . As a body of Western beliefs, secular and rationalistic, the intelligentsia of the West share it [so that] the enemy—he is ourselves. That is why it is idle to talk about preventing the wreck of Western civilization. It is already a wreck from within"; and

WHEREAS, Whittaker Chambers consequently concluded, "That is why we can hope to do little more now than snatch a fingernail of a saint from the rack or a handful of ashes from the [embers], and bury them secretly in a flowerpot against the day, ages hence, when a few men begin again to dare to believe that there was once something else, that something else is thinkable, and need some evidence of what it was, the fortifying knowledge that there were those who, at the great nightfall, took loving thought to preserve the tokens of hope and truth"; and

WHEREAS, the Honorable David E. Johnson, already the biographer of distinguished Virginians Douglas Southall Freeman, John Randolph of Roanoke, and Spencer Roane, is undertaking to compose a comprehensive intellectual biography of Whittaker Chambers; and

WHEREAS, David E. Johnson has recently presented a précis of his manuscript to a forum in Richmond entitled "An Evening on Whittaker Chambers"; now, therefore, be it

RESOLVED by the House of Delegates, That the life and legacy of Whittaker Chambers, the brave and eloquent witness to the permanent things lived and written, hereby be commemorated; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Honorable David E. Johnson in gratitude for directing his scholarly labors toward a work conveying the witness of Whittaker Chambers to new generations of readers.

## HOUSE RESOLUTION NO. 605

*Celebrating the life of Francis Nott Bain, M.D.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, it was Ian Maclaren who, in his work *Beside the Bonnie Brier Bush*, described the characteristics of "A Doctor of the Old School"; and

WHEREAS, of the doctor in a remote glen of Scotland in the early 19th century, Maclaren wrote, "He did his best for the need of every man, woman, and child in this wild, struggling district, year in, year out, in the snow and in the heat, in the dark and in the light, without rest, and without holiday for forty years"; and

WHEREAS, though the conditions of Goochland County in modern times are much milder than those described of the Scotland of yore, and though he enjoyed vacations golfing and many a trip to Charlottesville to cheer for his beloved

Cavalier basketball and football teams of the University of Virginia, still, Francis Nott Bain, M.D., served precisely for the same 40 years as a doctor devoted to care of the hundreds of his patients of his rural world; and

WHEREAS, the obituarist of Dr. Francis "Frank" Nott Bain, M.D., wrote truly of the physician in *The Goochland Gazette* that, "For many of his patients, [his] building next to the Goochland Courthouse was the only doctor's office they visited in their entire lives," and that Frank Bain "mirrored this commitment, as his medical practice was his life's passion"; and

WHEREAS, Frank Bain was born in Charlottesville on May 25, 1946, the 10th and youngest child of Edward H. and Katherine K. Bain, graduated from Albemarle High School in 1964, and attended Benedictine College in Atchison, Kansas; and

WHEREAS, Frank Bain interrupted his collegiate studies to enlist in the United States Marine Corps and, as a first lieutenant, served his country in Vietnam during the long war there; and

WHEREAS, following his military service, Frank Bain resumed his studies, this time at the University of Virginia, earning an undergraduate degree and thereafter a Doctor of Medicine degree from the Medical College of Virginia; and

WHEREAS, Dr. Frank Bain established his practice in Goochland Courthouse in 1980 soon after completing medical school and faithfully served his countless number of patients until he retired in June 2021; and

WHEREAS, Dr. Frank Bain died on January 25, 2022, and is survived by his three children, Mark (Mindy) Bain of Midlothian, Christopher Bain of Cabin John, Maryland, and Rebecca Bain of Richmond, and six grandchildren, as well as three brothers and many cousins, nieces, and nephews; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Francis Nott Bain, M.D., who devoted four decades of service to the people of Goochland County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Francis Nott Bain, M.D., as an expression of the House of Delegates' sympathy with their bereavement, respect for his memory, and admiration for his life and works.

### HOUSE RESOLUTION NO. 606

*Celebrating the life of Nancy Beverly Hutchins Morgan.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Nancy Beverly Hutchins Morgan, a vibrant and beloved member of the Arlington community who advocated for women in the field of computer science, died on January 1, 2022; and

WHEREAS, Nancy Morgan lived in Georgia, Tennessee, and Missouri before settling in Northern Virginia; she held bachelor's and master's degrees in computer science and pursued a 30-year career in the computer industry, ultimately establishing her own consulting company; and

WHEREAS, Nancy Morgan served as state president of the American Association of University Women, and she was a trailblazer for women leaders in computer science, working diligently to support and empower other women in the field; and

WHEREAS, outside of her career, Nancy Morgan was a talented seamstress and needlepoint artist and a passionate photographer whose engaging works were featured in local photography shows; she delighted family and friends with delicious meals and published several cookbooks; and

WHEREAS, Nancy Morgan was a master genealogist who had traced her family's ancestry back hundreds of years, and she was an avid traveler who relished visits to the Lake District in England; and

WHEREAS, Nancy Morgan took up running in her late 40s and won several races in her age groups; and

WHEREAS, predeceased by her son, Thomas, Nancy Morgan will be fondly remembered and greatly missed by her husband of 63 years, Robert; her son, Jonathan, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Nancy Beverly Hutchins Morgan; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Nancy Beverly Hutchins Morgan as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 607

*Commending Gregg Conner.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Powhatan High School Indians baseball program has for decades been one of the most respected in the entire Commonwealth; and

WHEREAS, the program's retired head coaches, Bob Baltimore and his successor Gregg Conner, devoted a combined 91 years to the Powhatan Indians baseball team, including 54 by Baltimore and 37 by Conner; and

WHEREAS, the people of Powhatan County several years ago expressed their admiration for Bob Baltimore by naming the Powhatan High School baseball diamond "Baltimore Field"; and

WHEREAS, in a justly unanimous decision of the Powhatan County School Board, reflecting recommendations from Bob Baltimore, current head coach Duane Partusch, and Athletic Director Tim Llewellyn, the baseball grounds are now to be known as "Baltimore-Conner Field"; and

WHEREAS, over the course of his 37-year career, Coach Conner led the Powhatan Indians to an overall record of 521-237-1; and

WHEREAS, Coach Conner led the Powhatan Indians to baseball state championships in 2008 and 2012; and

WHEREAS, guided by Coach Conner, the Powhatan Indians garnered six regional titles and 16 district championships; and

WHEREAS, prior to his retirement from both his coaching career and teaching position on the Powhatan High School faculty in 2021, Gregg Conner was inducted into the Virginia High School League Hall of Fame's Class of 2020; now, therefore, be it

RESOLVED by the House of Delegates, That Gregg Conner hereby be commended for his many achievements as head coach, for nearly four decades, of the Powhatan High School baseball team; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Gregg Conner, thereby joining the people of Powhatan County in celebrating the honor accorded the retired coach in the designation of the Powhatan High School Indians baseball facilities as "Baltimore-Conner Field."

### HOUSE RESOLUTION NO. 608

*Commending the Fluvanna County High School forensics team.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Fluvanna County High School forensics team won the Virginia High School League Class 3 state championship on March 26, 2022, at Clover Hill High School in Midlothian; and

WHEREAS, the Fluvanna County High School Flying Flucos tallied 20 points in the team competition to edge out runner-up Lafayette High School of Williamsburg by one point, securing the program's fourth state championship title; and

WHEREAS, the Fluvanna Flying Flucos fielded 13 competitors at the state tournament, with four students claiming state titles, one student placing second, and three students placing third in their respective categories; and

WHEREAS, the Fluvanna Flying Flucos continued the reign of dominance that the program has enjoyed since its formation in 2012, adding to its impressive string of victories in Virginia High School League regional, super-regional, and state competitions; and

WHEREAS, the Fluvanna Flying Flucos who competed at the 2022 Virginia High School League state tournament included individual state champions Paolo Gomez, Townes Mullinex, Ellie White, and Riley Yowell, as well as Ben Bossong, Tomas Cruz, Jackson Farley, Ella Kearney, Bridgette Kirchner, Allison Monfalcone, Lauren Schmidt, Ryan Taylor, and Abby White; and

WHEREAS, the success of the Fluvanna Flying Flucos is the result of the hard work and dedication of the students, the leadership and guidance of their coaches and teachers, and the unwavering support of their parents and the entire Fluvanna County High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Fluvanna County High School forensics team hereby be commended for winning the 2022 Virginia High School League Class 3 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Craig Edgerton, coach of the Fluvanna County High School forensics team, as an expression of the House of Delegates' admiration for the team's achievement.

### HOUSE RESOLUTION NO. 609

*Commending the Nansemond River High School girls' track and field team.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Nansemond River High School girls' track and field team of Suffolk won the Virginia High School League Class 5 state championship on February 26, 2022, at the Virginia Beach Sports Center; and

WHEREAS, the Nansemond River High School Warriors outpaced the runner-up, the Glen Allen High School Jaguars, by 13 points to secure the program's sixth indoor state title; and

WHEREAS, the Nansemond River Warriors were carried by an outstanding performance from Jaliyah Person, who became the Virginia High School League Class 5 state champion in both the 500-meter dash and the long jump, which placed her third and fifth in these respective events across the Commonwealth; and

WHEREAS, the Nansemond River Warriors benefited from a strong showing by Sydney Ellis, who became the Virginia High School League Class 5 state champion in the 55-meter hurdles, recording the third best time in the event in the Commonwealth; and

WHEREAS, the Nansemond River Warriors were bolstered by Nyah Harrison, who placed third in both the 300-meter and 500-meter dash, and Grace Flynn, who earned fifth place in the high jump; and

WHEREAS, the Nansemond River Warriors' 4x200-meter relay team, including Trinity Lucas, Jaliyah Person, Ansolei Taliaferro, and Peyton Wright, and its 4x400-meter relay team, consisting of Sydney Ellis, Nyah Harrison, Trinity Lucas, and Ansolei Taliaferro, both placed first to cap off the team's excellent showing on the day; and

WHEREAS, the success of the Nansemond River Warriors is the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their parents and the entire Nansemond River High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Nansemond River High School girls' track and field team hereby be commended for winning the 2022 Virginia High School League Class 5 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Justin Byron, coach of the Nansemond River High School girls' track and field team, as an expression of the House of Delegates' admiration for the team's achievements.

### HOUSE RESOLUTION NO. 610

*Commending the Honorable Larry Nicholas Rush.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Honorable Larry Nicholas Rush of Christiansburg has served the Commonwealth with dedication and distinction throughout his career; and

WHEREAS, after attending Christiansburg High School, Larry Nicholas "Nick" Rush enlisted in the United States Army as a paratrooper in the 82nd Airborne Division and left active duty in 1989 as a non-commissioned officer; and

WHEREAS, Nick Rush is a proud member of the Republican Party, and at the age of 23, he was the youngest member elected to the Montgomery County Board of Supervisors, where he represented District B for 12 years and served as chair and vice chair; and

WHEREAS, in 2011, Nick Rush was elected to represent the Seventh District of the Virginia House of Delegates, which included Floyd County and parts of the Counties of Montgomery and Pulaski; and

WHEREAS, Nick Rush began his 10-year tenure with the Virginia House of Delegates as the 100th member of the 100-member body; as such, he was provided with the smallest office in the General Assembly Building, which, to this day, many will agree was really a closet; and

WHEREAS, during his time with the Virginia House of Delegates, Nick Rush was appointed to the Committees on Appropriations, General Laws, Privileges and Elections, and Militia, Police and Public Safety; and

WHEREAS, Nick Rush served as chair of the Appropriations Higher Education subcommittee and was appointed to the subcommittees on Capital Outlay, Commerce, Agriculture, Natural Resources and Technology, Compensation and General Government, Elementary and Secondary Education, Health and Human Resources, Transportation, Privileges and Elections, Appointments, Campaigns, Campaign Finance, Constitutional Amendments, Elections, Election Administration, Gubernatorial Appointments, Redistricting, Voting Rights, House Public Safety Firearms, Public Safety, General Laws Housing, FOIA/Procurement, ABC/Gaming, Professional Occupations and Administrative Process, and Mental Health Services, as well as the Special Subcommittee on Amazon; and

WHEREAS, Nick Rush was appointed to the Major Employment and Investment Project Approval Commission, of which he served as vice chair; and

WHEREAS, some of Nick Rush's most popular legislative initiatives included creating the Advanced Production Grant Program and Fund in support of eligible businesses, transportation manufacturers, and producers engaged in the production of business trucks, and establishing the Tech Talent Investment Program to assist qualified public institutions of higher education in reaching a goal of increasing by at least 25,000 degrees the number of bachelor's and master's degrees awarded in computer science, computer engineering, and closely related fields; and

WHEREAS, Nick Rush oversaw the creation of the Radford University-Roanoke Division through the acquisition of the Jefferson College of Health Sciences; a Semiconductor Manufacturing Grant Fund for qualified semiconductor manufacturing companies; an individual and corporate tax break for income earned from investments in venture capital accounts; and the "Flat Fee Degree" that discounted tuition and fees for students pursuing degrees in high-demand fields such as education, nursing, and information technology; and

WHEREAS, in 2018, Nick Rush was elected by his fellow Republican Caucus members to serve as majority whip during one of the most historic majority "wins" in history, resulting in a 51-49 party split and requiring unanimous support for all party-controversial legislation; and

WHEREAS, Nick Rush's laugh was widely recognized in the hallways of the Virginia State Capitol, General Assembly Building, and Pocahontas Building; and

WHEREAS, Nick Rush's personal greetings of "Hey, brother!" and "What's up, man?!" continue to make everyone feel a part of his circle of friends; and

WHEREAS, with witty comments like, "Sometimes a squirrel finds a nut!" or "You may as well jump!" or "I get it!", Nick Rush's ways of making points remain unmatched to this very day; and

WHEREAS, Ashley Myers Hood, Eric Bateman, Sherry Burke, and Judi Lynch proudly served as Nick Rush's legislative staff members during his time in the Virginia House of Delegates and are extended members of the Rush family; and

WHEREAS, the Rush family of Jennifer, Cody (Tiffany), Forrest (Mary Beth), and Lilly will always be recognized as the final First Family of the Seventh House District; and

WHEREAS, the Virginia House of Delegates, the Seventh House District, Southwest Virginia, and the Commonwealth will always think of Nick Rush when they hear the words, "Making the New River Valley the best place to live, work, raise a family, and retire"; now, therefore, be it

RESOLVED by the House of Delegates, That the Gentleman from Montgomery County, the Honorable Larry Nicholas Rush, hereby be commended as a former member of the Virginia House of Delegates; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Honorable Larry Nicholas Rush as an expression of the House of Delegates' gratitude for his outstanding service to the Counties of Montgomery, Pulaski, and Floyd, to Southwest Virginia, and to the Commonwealth of Virginia.

### HOUSE RESOLUTION NO. 611

*Celebrating the life of Ronald Bennett McLenaghan.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Ronald Bennett McLenaghan, a respected member of the Providence Forge community, died on December 13, 2020; and

WHEREAS, Ronald "Ron" Bennett McLenaghan previously lived in New Brunswick and was proud of his Canadian heritage throughout his life; and

WHEREAS, Ron McLenaghan made his career as a self-employed concrete worker and the owner-operator of Canuck Construction in Providence Forge; he earned a reputation for putting the needs of others before his own and was always happy to lend a hand to those in need; and

WHEREAS, Ron McLenaghan was passionate about standardbred horse racing and owned a farm in Providence Forge where he had raised many horses since 1998; and

WHEREAS, Ron McLenaghan's favorite racing mare, You're Welcome, competed in numerous races and later foaled two colts that raced in the Virginia Sired Stakes program; and

WHEREAS, Ron McLenaghan offered his leadership to horse racers throughout the Commonwealth as a member of the Virginia Harness Horsemen's Association board for more than 10 years; and

WHEREAS, Ron McLenaghan will be fondly remembered and greatly missed by his wife of 39 years, Wendy; his children, Kristopher, Andy, Ryan, Tammy, and Stacey, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Ronald Bennett McLenaghan; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Ronald Bennett McLenaghan as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 612

*Commending Scott Pollard, Ph.D.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Scott Pollard, Ph.D., an esteemed professor of English at Christopher Newport University who has cultivated the literary interests of thousands of students over his 30-year career at the institution, retires in 2022; and

WHEREAS, born and raised in California, Scott Pollard completed his undergraduate studies at Santa Clara University before earning a master's degree and doctoral degree in comparative literature from the University of California, Irvine; and

WHEREAS, Scott Pollard served briefly as an adjunct professor at Santa Clara University before joining the English department at Christopher Newport University in 1992, where he has contributed to the life of the institution as teacher, scholar, and colleague ever since; and

WHEREAS, after focusing on modern Latin American literature from the comparative perspective in his graduate studies, Scott Pollard expanded his academic pursuits to include Asian literatures, Middle Eastern literatures, *Don Quixote*, and literary theory throughout his career; and

WHEREAS, during his tenure at Christopher Newport University, Scott Pollard taught 26 different courses at all levels and was instrumental to the creation of 14 new courses, including the university's first-year and second-year writing seminars, which are a foundational part of the English department's curriculum today; and

WHEREAS, as chair of the English department from 2000 to 2006 and in other capacities, Scott Pollard was a tireless advocate for his students and colleagues and contributed greatly to the growth and development of the university's community over the years; and

WHEREAS, scholarship was a core component of Scott Pollard's professorial endeavors and his study of food in children's literature resulted in several publications, including the recently released *Tablelands: Food in Children's Literature*, which he co-authored with his wife and fellow Christopher Newport University professor Kara K. Keeling; and

WHEREAS, in his well-deserved retirement, Scott Pollard will have more opportunities to spend quality time with his wife, Kara, and to embrace his love of travel and music; now, therefore, be it

RESOLVED by the House of Delegates, That Scott Pollard, Ph.D., a cherished member of the faculty at Christopher Newport University, hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Scott Pollard, Ph.D., as an expression of the House of Delegates' admiration for his contributions to the Commonwealth and best wishes for a happy and fulfilling retirement.

### HOUSE RESOLUTION NO. 613

*Commending National Capital Treatment & Recovery.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 60 years, National Capital Treatment & Recovery has provided treatment and support to thousands of individuals living with substance use disorders in the Washington, D.C., metropolitan area; and

WHEREAS, National Capital Treatment & Recovery was established in 1962 as Alcohol Rehabilitation, Inc., by a group of Arlington community members working with Bill Wilson, one of the founders of Alcoholics Anonymous; and

WHEREAS, by the 1970s, as drug use became more prevalent in the community and across the nation, Alcohol Rehabilitation, Inc., expanded its mission and changed its name to Vanguard Services Unlimited; over the years, the organization has greatly extended its service area and has worked with patients from a wide range of backgrounds; and

WHEREAS, in 1989, Vanguard Services Unlimited became the first care provider in the region to offer a residential treatment program where women could bring their children; and

WHEREAS, Vanguard Services Unlimited joined the Phoenix House Foundation, the largest substance use treatment provider in the United States, in 2010 and operated as a regional affiliate until 2019, when it returned to its roots as an independent regional organization and adopted its current name; and

WHEREAS, National Capital Treatment & Recovery now serves more than 2,000 patients through the Phoenix Program residential program for men, the Demeter House for women, and the Counseling Center for Outpatient Treatment; in addition, National Capital Treatment & Recovery operates with Arlington County the Independence House transitional living program and the new Arlington Recovery Center, all located throughout Arlington; and

WHEREAS, over the course of its history, National Capital Treatment & Recovery has served more than 50,000 individuals, more than 70 percent of whom have successfully completed treatment; the organization provides financial assistance for individuals with substance use disorder; and

WHEREAS, National Capital Treatment & Recovery commemorated its 60th anniversary with a special celebration on May 3, 2022; now, therefore, be it

RESOLVED by the House of Delegates, That National Capital Treatment & Recovery hereby be commended on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to National Capital Treatment & Recovery as an expression of the House of Delegates' admiration for the organization's lifesaving contributions to members of the community in need.

### HOUSE RESOLUTION NO. 614

*Commending Jack Garrett.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Jack Garrett, an esteemed broadcast journalist with WBTM and WAKG of the Piedmont Broadcasting Corporation whose newscasts have chronicled the daily events of Danville for more than four decades, signed off for the last time on March 18, 2022; and

WHEREAS, after graduating from George Washington High School in Danville in 1974, Jack Garrett became one of three students to complete a newly developed English and journalism combined major program at the former Averett College in Danville in 1978; and

WHEREAS, while still in college, Jack Garrett took an internship with WBTM, a local radio broadcaster with listeners in Danville, Southern Pittsylvania County, and Northern Caswell County in North Carolina, and after graduation took a full-time position with the station and its affiliate, WAKG; and

WHEREAS, Jack Garrett subsequently dedicated nearly 44 years to covering the news in the Danville area and with the exception of a three-year stint as bureau chief at WSET, the ABC affiliate in Lynchburg, spent the entirety of his career with WBTM and WAKG; and



WHEREAS, Jack Garrett's talent, professionalism, and commitment to his community have been recognized with various awards over the years, including The Associated Press Robert Gallimore Distinguished Service Award in 2020 and four first place honors at the 2021 Virginia Associated Press Broadcasters Awards; and

WHEREAS, the accomplishments and success that Jack Garrett enjoyed over his distinguished career are the result of his ability to uncover and develop worthwhile and meaningful stories and to deliver them to his listeners in succinct and compelling ways; and

WHEREAS, in his retirement, Jack Garrett looks forward to spending more quality time with his wife, Charlotte, and his children, Jack III, Carol Anne, and Sarah Beth; now, therefore, be it

RESOLVED by the House of Delegates, That Jack Garrett, a beloved broadcaster who has informed and entertained the Danville community for many years, hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jack Garrett as an expression of the House of Delegates' admiration for his contributions to the Commonwealth and best wishes for an enjoyable and fulfilling retirement.

### HOUSE RESOLUTION NO. 615

*Commending the Beta Chi Chapter of Kappa Alpha Psi Fraternity, Inc.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 75 years, the Beta Chi Chapter of Kappa Alpha Psi Fraternity, Inc., has empowered its members to become servant-leaders in the Hampton community and beyond; and

WHEREAS, the Beta Chi Chapter of Kappa Alpha Psi was chartered on April 19, 1947, on the campus of Hampton Institute, now Hampton University; and

WHEREAS, the Beta Chi Chapter of Kappa Alpha Psi was selected as the Hampton University Greek Chapter of the Year in 2012-2013, 2013-2014, 2014-2015, and 2015-2016; and

WHEREAS, the Beta Chi Chapter of Kappa Alpha Psi strives to fulfill Kappa Alpha Psi's core mission to support programs related to community service, social welfare, and academic scholarship; and

WHEREAS, the Beta Chi Chapter of Kappa Alpha Psi has mentored many college students and encouraged them to follow their dreams after graduation; the chapter also awards the Ronald R. Young Endowed Scholarship and supports the Kapex Foundation, both of which empower students in higher education; and

WHEREAS, the members of the Beta Chi Chapter of Kappa Alpha Psi have had a positive impact on the Hampton community through their volunteer service with local Boys and Girls Clubs and by conducting food drives and organizing activities for senior citizens; and

WHEREAS, the members of the Beta Chi Chapter of Kappa Alpha Psi have become leaders in numerous career fields, including business, education, entrepreneurship, journalism, law, public safety, and the military, among many others; and

WHEREAS, the Beta Chi Chapter of Kappa Alpha Psi commemorated its 75th anniversary with a celebration of its legacy and achievements on April 7-9, 2022; now, therefore, be it

RESOLVED by the House of Delegates, That the Beta Chi Chapter of Kappa Alpha Psi Fraternity, Inc., hereby be commended on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Beta Chi Chapter of Kappa Alpha Psi Fraternity, Inc., as an expression of the House of Delegates' admiration for the organization's contributions to the Hampton community.

### HOUSE RESOLUTION NO. 616

*Commending the Randolph-Macon College men's basketball team.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Randolph-Macon College men's basketball team brought home the institution's first national title in any sport with a victory in the National Collegiate Athletic Association Division III Men's Basketball Championship; and

WHEREAS, the Randolph-Macon College Yellow Jackets traveled all the way to Fort Wayne, Indiana, to defeat the Elmhurst University Blue Jays, 75-45, setting a new record for the largest margin of victory in a Division III championship game; and

WHEREAS, although the Elmhurst Blue Jays took a slight lead in the first half, the Randolph-Macon Yellow Jackets responded with a 10-0 run and held a 15-point lead by halftime; the Yellow Jackets started the second half strong and never looked back, cruising to a lopsided win; and

WHEREAS, junior Josh Talbert led the Randolph-Macon Yellow Jackets with 15 points and 11 rebounds, followed by Division III National Player of the Year Buzz Anthony with 14 points and junior Miles Mallory with 10 points and nine rebounds; and

WHEREAS, the Randolph-Macon Yellow Jackets finished the season with an overall record of 33-1 and a perfect 16-0 record against Old Dominion Athletic Conference opponents; and

WHEREAS, the victorious season is a tribute to the skill and determination of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the members of the Randolph-Macon College community, many of whom drove more than 10 hours to cheer for the team in the championship final; now, therefore, be it

RESOLVED by the House of Delegates, That Randolph-Macon College men's basketball team hereby be commended on winning the National Collegiate Athletic Association Division III Men's Basketball Championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Randolph-Macon College men's basketball team as an expression of the House of Delegates' admiration for the team's historic achievements and best wishes for the future.

### HOUSE RESOLUTION NO. 617

*Commending Ethel L. Grandy.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Ethel L. Grandy, an esteemed civic and public health activist who has supported young people in Hampton Roads for many years through various endeavors, celebrates her 100th birthday on June 16, 2022; and

WHEREAS, affectionately known as "Mother Grandy," Ethel Grandy began her work as an activist and community organizer at a young age, leading voter registration drives in her youth and assisting the Oak Grove Civic League beginning in her twenties, ultimately serving as the organization's president; and

WHEREAS, Ethel Grandy contributed to the accomplishments of young people both in and out of the classroom while an employee with Chesapeake Public Schools and was notably one of the first African American women to be appointed to serve as an election judge in the City of Chesapeake; and

WHEREAS, guided throughout her life by her faith, Ethel Grandy has served her church in various capacities over the years and shepherded the spiritual maturation of many as the first woman to serve as president of a Sunday school union composed of eight churches in Great Bridge, Greenbrier, and Crestwood; and

WHEREAS, after witnessing the success of rallies she organized while president of the Sunday school union, Ethel Grandy founded the organization Families United Against Drugs in 1991, partnering with the City of Chesapeake to educate youth and combat drug abuse; and

WHEREAS, under Ethel Grandy's leadership, Families United Against Drugs has sponsored popular annual rallies and regular workshops and programs to encourage young people to make smart choices in the interest of their health and well-being; and

WHEREAS, Ethel Grandy regularly speaks at church and youth events and often meets with both inmates at the Chesapeake Correctional Center and detainees at the local juvenile detention center to offer spiritual counsel and support to those in need; and

WHEREAS, as a testament to her impact, Ethel Grandy has received numerous honors and accolades from local and national organizations, including the United States Federal Bureau of Investigation Director's Community Leadership Award in 2007 and an honorary doctor of humane letters degree from Old Dominion University in 2008; and

WHEREAS, Ethel Grandy has demonstrated a profound commitment to young people and families in Hampton Roads over the past several decades, making her a pillar of her community and an inspiration to all who know her; now, therefore, be it

RESOLVED by the House of Delegates, That Ethel L. Grandy, an influential and beloved member of the Hampton Roads community, hereby be commended on the occasion of her 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ethel L. Grandy as an expression of the House of Delegates' admiration for her noteworthy life and many contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 618

*Celebrating the life of Rebecca Gail Burruss.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Rebecca Gail Burruss, an esteemed social services professional and beloved member of the Roanoke community, died on January 21, 2022; and

WHEREAS, after graduating from St. Margaret's School in Tappahannock, Gail Burruss earned a bachelor's degree from Randolph-Macon Woman's College and a master's degree from Virginia Polytechnic Institute and State University; and

WHEREAS, Gail Burruss devoted her life to social services, working tirelessly for the benefit of vulnerable members of the community while committing the last 30 years of her career to Blue Ridge Behavioral Health Services, where she retired as a supervisor; and

WHEREAS, Gail Burruss was a tireless advocate and activist for the Roanoke community, serving with both the Roanoke Redevelopment and Housing Authority and the Mill Mountain Conservancy while playing an instrumental role in preserving the character of Mill Mountain and other local endeavors; and

WHEREAS, Gail Burruss' extensive engagement with her community included service as the president of the local chapter of the American Association of University Women and as a member of myriad other state, regional, and local boards; and

WHEREAS, Gail Burruss will be fondly remembered and dearly missed by her sisters, Jane and Carol, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Rebecca Gail Burruss, a cherished member of the Roanoke community whose generosity and dedication impacted countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Rebecca Gail Burruss as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 619

*Commending the Grandin Theatre.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Grandin Theatre, a movie theater in Roanoke that recalls the Golden Age of Hollywood and that has been a beloved cultural institution in the region for decades, celebrates its 90th anniversary in 2022; and

WHEREAS, built by Roanoke architect John Zink, the Grandin Theatre opened its doors on March 26, 1932, for a screening of the film *Arrowsmith*, making it the first theater in the city to show talkies, or films with synchronized sound; and

WHEREAS, the Grandin Theatre delighted cinema lovers for more than 40 years before closing for the first time in 1976, at which point it became the home of the Mill Mountain Theatre, which produced shows like *The Sound of Music*, *Guys and Dolls*, and *Annie Get Your Gun* over the company's seven-year stewardship of the theater; and

WHEREAS, under Jack Andrews' subsequent ownership in the mid-1980s, the Grandin Theatre not only screened films but staged some of the leading blues musicians of the day, including John Lee Hooker, Ray Charles, and B.B. King; and

WHEREAS, from the late 1980s to November 2001, the Grandin Theatre was managed by Julie Hunsaker, who used the space to feature art house, indie, and foreign films for the enjoyment of the region's cinema aficionados; and

WHEREAS, in 2001, as the Grandin Theatre was closing for the third time, the Grandin Theatre Foundation was formed as a 501(c)(3) organization with the mission to preserve the theater as a cultural and educational resource dedicated to film and the cinematic arts in Western Virginia; and

WHEREAS, after the Grandin Theatre Foundation's successful "Save the Grandin" campaign, the Grandin Theatre reopened on October 20, 2002, and has provided its visitors with memorable movie-going experiences ever since; and

WHEREAS, as the focal point of the Grandin Road Commercial Historic District and as one of the preeminent cultural destinations in the region, the Grandin Theatre has served as both a driver of the economy and promoter of the arts throughout its existence; and

WHEREAS, through the Grandin Theatre Film Lab, Black History Month programming, and other activities, the Grandin Theatre has increased its engagement in the community in recent years; and

WHEREAS, the Grandin Theatre's current fundraising campaign, "Heart of the Main," aspires to upgrade the theater's facilities to allow for an even greater array of programming and to enhance the theater's ability to serve the Roanoke community; now, therefore, be it

RESOLVED by the House of Delegates, That the Grandin Theatre hereby be commended on the occasion of its 90th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ian Fortier, executive director of the Grandin Theatre, as an expression of the House of Delegates' admiration for the theater's history and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 620

*Commending the United Way of Roanoke Valley.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the United Way of Roanoke Valley, an organization promoting the health, education, and financial stability of individuals and families in the Roanoke Valley region, received Nonprofit of the Year honors from the Salem-Roanoke County Chamber of Commerce in 2021; and

WHEREAS, for nearly a century, the United Way of Roanoke Valley has brought people, resources, and local partners together through various programs and services to address the most pressing needs of the communities of the Cities of Roanoke and Salem, the Town of Vinton, and the Counties of Botetourt, Craig, Franklin, and Roanoke; and

WHEREAS, the United Way of Roanoke Valley has raised more than \$50 million over the past decade to allow the most vulnerable members of the community to reach a point of stability in which they can grow and thrive; and

WHEREAS, the United Way of Roanoke Valley specializes in assisting asset limited, income constrained, and employed individuals, or ALICE individuals, who earn more than the federal poverty level but less than the state's basic cost of living, improving the quality of life for many families in the region that are living paycheck to paycheck; and

WHEREAS, the United Way of Roanoke Valley has enabled thousands of young people to get a strong start on their path to academic excellence through early education programs and other resources and services, impacting the community in ways that will reverberate for generations to come; and

WHEREAS, the United Way of Roanoke Valley responded to the COVID-19 pandemic by raising more than \$214,000 and providing assistance to nearly 28,000 individuals, providing a vital lifeline during the historic public health crisis; and

WHEREAS, the accomplishments of the United Way of Roanoke Valley are the result of the tireless efforts of its dedicated staff and hundreds of volunteers and were made possible through collaboration with the organization's extensive partner network, which includes numerous regional school divisions, health systems, churches, municipalities, civic organizations, and more; and

WHEREAS, the United Way of Roanoke Valley's recent award serves as a testament to the meaningful ways in which the organization has helped to make Southwest Virginia a wonderful place to live, work, and learn; now, therefore, be it

RESOLVED by the House of Delegates, That the United Way of Roanoke Valley hereby be commended for its service to the community on the occasion of being named 2021 Nonprofit of the Year by the Salem-Roanoke County Chamber of Commerce; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Abby Verdillo Hamilton, president and chief executive officer of the United Way of Roanoke Valley, as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 621

*Celebrating the life of Yvonne Jeanette Baker Lewis.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Yvonne Jeanette Baker Lewis, an esteemed educator and civic leader and a beloved member of the Hampton Roads community, died on March 18, 2022; and

WHEREAS, Yvonne Lewis attended Howard University, where she earned a bachelor's degree in 1971 and a master's degree two years later before dedicating herself to her career as an educator; and

WHEREAS, Yvonne Lewis first worked as a speech, language, and hearing pathologist at Tracys Landing in Anne Arundel County, Maryland, and then in California and Connecticut before ultimately settling in Virginia Beach; and

WHEREAS, over her 25-year career with Chesapeake Public Schools, Yvonne Lewis fostered the dreams and ambitions of her students and contributed greatly to their success both in and out of the classroom; and

WHEREAS, Yvonne Lewis gave generously of her time to many professional and civic organizations, including serving as president of the Virginia Beach Alumnae Chapter of the Delta Sigma Theta Sorority, Inc., as president of the South Hampton Roads Pan-Hellenic Council, and as the Tidewater regional representative of the National Women's Political Caucus of Virginia; and

WHEREAS, in recognition of her leadership in the community, Yvonne Lewis was appointed by Governor Ralph S. Northam in 2019 to serve on the Commonwealth's first Virginia African American Advisory Board; and

WHEREAS, Yvonne Lewis played a prominent role in the push for the Commonwealth to ratify the Equal Rights Amendment by serving on the strategic planning committee that led the Virginia Social Action Task Force of Delta Sigma Theta Sorority's participation in the "VARatifyERA" campaign; and

WHEREAS, guided throughout her life by her faith, Yvonne Lewis most recently enjoyed worship and fellowship with her community at Second Calvary Baptist Church in Norfolk; and

WHEREAS, preceded in death by her daughters Adrienne and Kahlizsa, Yvonne Lewis will be fondly remembered and dearly missed by her loving husband, Arthur; her children, Mignon and Jeanene, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Yvonne Jeanette Baker Lewis, a cherished member of the Hampton Roads community whose devotion to serving other impacted countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Yvonne Jeanette Baker Lewis as an expression of the House of Delegates' respect for her memory.

**HOUSE RESOLUTION NO. 622**

*Commending the Woodbridge (VA) Alumni Chapter of Kappa Alpha Psi Fraternity, Inc.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 24 years, the Woodbridge (VA) Alumni Chapter of Kappa Alpha Psi Fraternity, Inc., has supported and empowered its members and enhanced community life in Prince William County; and

WHEREAS, Kappa Alpha Psi Fraternity, Inc., a historically Black fraternity founded at Indiana University Bloomington in 1911, has helped develop leadership and a commitment to service among its members for more than 110 years; and

WHEREAS, for many years, Kappa Alpha Psi members in Prince William County could only affiliate with the Alexandria-Fairfax Alumni Chapter to the north or the Fredericksburg Alumni Chapter to the south; and

WHEREAS, believing that Prince William County could sustain an active, vibrant alumni chapter, Kappa Alpha Psi members William Croom, Robert Harding, Sr., and Ronald Thompson, worked with 21 other fraternity members in the area to petition the fraternity's Grand Board of Directors for the formation of such a chapter; and

WHEREAS, the Woodbridge Alumni Chapter of Kappa Alpha Psi was chartered on February 1, 1998, at a special ceremony presided over by the polemarch of the Kappa Alpha Psi's Eastern Province and held at the Officers' Club of Marine Corps Base Quantico; and

WHEREAS, today, the Woodbridge Alumni Chapter of Kappa Alpha Psi serves members of communities from Fredericksburg to Baltimore and sponsors community service projects, promotes social welfare, and helps young people in the region achieve their academic goals; and

WHEREAS, the Woodbridge Alumni Chapter of Kappa Alpha Psi sponsors golf tournaments to raise money to fund academic scholarships, provides meals to families in need during the holidays, and coordinates with service organizations like Project Mend-A-House, the Friendly Visitor Programs of Prince William County, Northern Virginia's Special Olympics, and the Prince William County Adopt-A-Highway Program; now, therefore, be it

RESOLVED by the House of Delegates, That the Woodbridge (VA) Alumni Chapter of Kappa Alpha Psi Fraternity, Inc., hereby be commended for more than two decades of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Damien Williams, polemarch of the Woodbridge (VA) Alumni Chapter of Kappa Alpha Psi Fraternity, Inc., as an expression of the House of Delegates' admiration for the organization's legacy of contributions to the Prince William County community.

**HOUSE RESOLUTION NO. 623**

*Commending the Nansemond River High School boys' track and field team.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Nansemond River High School boys' track and field team of Suffolk won the Virginia High School League Class 5 state championship on February 26, 2022, at the Virginia Beach Sports Center; and

WHEREAS, the Nansemond River High School Warriors outpaced the runner-ups, the Lloyd C. Bird High School Skyhawks of Chesterfield and the Glen Allen High School Jaguars, by 24 points to secure the program's first indoor state title; and

WHEREAS, the Nansemond River Warriors saw an outstanding individual performance from Deondre Hardy, who became the Virginia High School League Class 5 state champion in both the 55-meter hurdles and triple jump events and earned 32 points on the day; and

WHEREAS, the Nansemond River Warriors were bolstered by a strong showing from Savion Wingate, who placed third in the long jump and fourth in the 55-meter hurdles, and Charles Wall-Davis, who placed second in the 55-meter hurdles and the 300-meter dash and fourth in the long jump; and

WHEREAS, in addition to these individual feats, the Nansemond River Warriors' 4x400-meter relay team, including Joshua Crique, Deondre Hardy, Charles Wall-Davis, Savion Wingate, placed first at the meet and recorded the second-best time in the Commonwealth; and

WHEREAS, in recognition of their accomplishments, Deondre Hardy, Charles Wall-Davis, and Savion Wingate each received All-State honors in 2022; and

WHEREAS, the success of the Nansemond River Warriors is the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their parents and the entire Nansemond River High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Nansemond River High School boys' track and field team hereby be commended for winning the 2022 Virginia High School League Class 5 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Marco McKoy, coach of the Nansemond River High School boys' track and field team, as an expression of the House of Delegates' admiration for the team's achievement.

**HOUSE RESOLUTION NO. 624***Commending Masjid Al-Falah.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 10 years, Masjid Al-Falah has provided prayer services, religious education and guidance, and generous support for people in need to the residents of Northern Virginia; and

WHEREAS, established in 2012, Masjid Al-Falah is a nonprofit organization that works diligently to meet the spiritual needs of thousands of individuals and families throughout the region; and

WHEREAS, in addition to regular worship services, Masjid Al-Falah offers Quran studies and other classes, as well as community outreach programs; and

WHEREAS, Masjid Al-Falah is currently working to build a permanent facility in Woodbridge to better serve current and future generations and provide a permanent home for its members to grow in faith and number; and

WHEREAS, Masjid Al-Falah has enhanced quality of life throughout Northern Virginia through its spiritual guidance and commitment to service; now, therefore, be it

RESOLVED by the House of Delegates, That Masjid Al-Falah hereby be commended on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Masjid Al-Falah as an expression of the House of Delegates' admiration for the organization's legacy of achievements in service to the Muslim community and all residents of Northern Virginia.

**HOUSE RESOLUTION NO. 625***Commending the Kilmarnock Volunteer Fire Department.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Kilmarnock Volunteer Fire Department, which has greatly served the community through its commitment to protecting people and property in the Town of Kilmarnock, celebrated its 90th anniversary in February 2022; and

WHEREAS, after groups of volunteers had informally battled local fires for some time, 12 charter members established the Kilmarnock Volunteer Fire Department on February 15, 1932, with Carroll Saunders serving as the department's first chief; and

WHEREAS, for many years, the Kilmarnock Volunteer Fire Department was the only fire station in the nearby area, relying solely on departments several miles away in Colonial Beach, West Point, and Tappahannock when it needed backup; and

WHEREAS, over the past 90 years, the Kilmarnock Volunteer Fire Department has consistently updated its equipment and operations to address the greater number and complexity of calls it receives; and

WHEREAS, with a current active roster of 39 members, including three junior members, the Kilmarnock Volunteer Fire Department has more than tripled in size since its founding, allowing the department to adequately respond to the approximately 180 to 200 calls it receives annually; and

WHEREAS, after nearly a century in operation, the Kilmarnock Volunteer Fire Department remains entirely run by volunteers and continues to thrive as a result of its traditions and the fellowship and ties its members share; and

WHEREAS, since 1935, the Kilmarnock Volunteer Fire Department has hosted its Annual Firemen's Carnival, a beloved local event that fosters a sense of community while raising funds to support the department's mission; and

WHEREAS, the accomplishments of the Kilmarnock Volunteer Fire Department over the past 90 years have been made possible by the tireless dedication and heroism of its members and the unwavering support of the entire Kilmarnock community; now, therefore, be it

RESOLVED by the House of Delegates, That the Kilmarnock Volunteer Fire Department hereby be commended on the occasion of its 90th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Kilmarnock Volunteer Fire Department as an expression of the House of Delegates' admiration for the department's history and its inspirational contributions to the Commonwealth.

**HOUSE RESOLUTION NO. 626**

*Celebrating the life of the Reverend Paul Sylvester Jones, Sr.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Reverend Paul Sylvester Jones, Sr., a highly admired spiritual leader in Westmoreland County, died on February 11, 2022; and

WHEREAS, Paul Jones grew up in Westmoreland County and began to cultivate his deep and abiding faith from a young age as a member of Zion Baptist Church; and

WHEREAS, Paul Jones pursued a career as a construction worker and remained active with his church community, serving as a Sunday school teacher and holding numerous leadership positions until he was ordained to the ministry in 2001; and

WHEREAS, Paul Jones served as president of the Zion Baptist Church Men's Fellowship, which later joined with similar groups at other churches to form the community service organization ALL Together Men's Fellowship; and

WHEREAS, Paul Jones was appointed as assistant pastor of Zion Baptist Church in Kinsale in 2002 and helped the congregation grow in faith in that capacity for two decades; and

WHEREAS, during his tenure as pastor of Zion Baptist Church, Paul Jones expanded ministries for the homeless and other people in need, offered worship services in local nursing homes for residents who could not attend Sunday services, and he conducted Bible studies and counseling sessions at Northern Neck Regional Jail; and

WHEREAS, a devoted family man, Paul Jones will be fondly remembered and greatly missed by his wife, Shirley; his children, Paul, Jr., Henry, Anthony, Amanda, and Tijuanan, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Reverend Paul Sylvester Jones, Sr.; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Reverend Paul Sylvester Jones, Sr., as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 627**

*Commending Cypress Baptist Church.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 156 years, Cypress Baptist Church in Elberon has provided spiritual leadership, generous outreach programs, and opportunities for joyful worship in the Baptist tradition to local residents; and

WHEREAS, Cypress Baptist Church was established in 1866 under the leadership of Irene George on farmland in Isle of Wight County owned by M. W. Guy Betts; the following year, the congregation moved to Surry County and held services in a brick church formerly owned by an Episcopalian congregation; and

WHEREAS, later in 1867, Cypress Baptist Church relocated to an area known as Piney Grove and acquired three acres of land from Dr. S. B. Barham to build a permanent location; prior to the construction of the new church building, services were held outdoors under a bush arbor or in the home of Irene George; and

WHEREAS, over the years, the Cypress Baptist Church congregation has grown in faith and number and played a pivotal role in local community life, demonstrating the importance of prayer, purpose, productivity, liberty, and spiritual awakening; and

WHEREAS, Cypress Baptist Church has benefited from the leadership of numerous pastors: the Reverend Baylor Wyatt, the Reverend T. M. Bowman, the Reverend Ellis Watts, the Reverend J. H. Alexander, the Reverend J. H. Higgs, the Reverend Bolden Bradby, the Reverend Preston T. Hayes, the Reverend Ronnie T. Northam, Sr., the Reverend Charles W. Nelligan, Jr., the Reverend Edwin L. Goodwin, Jr., the Reverend Henry Blunt, the Reverend Alvin T. Armstead, Jr., and the Reverend Dr. Millard F. Boone III; and

WHEREAS, the current pastor of Cypress Baptist Church, the Reverend Lucy Skates Robertson, has helped the church continue to thrive and fulfill its mission; now, therefore, be it

RESOLVED by the House of Delegates, That Cypress Baptist Church hereby be commended on the occasion of its 156th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Cypress Baptist Church as an expression of the House of Delegates' admiration for the church's long history and contributions to the Surry County community.

**HOUSE RESOLUTION NO. 628**

*Celebrating the life of Robert W. Nelms.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Robert W. Nelms, a dedicated public safety officer who made many contributions to communities throughout the Commonwealth, died on October 16, 2021; and

WHEREAS, Robert "Bobby" W. Nelms was driven to serve others from a young age and joined the Chuckatuck Volunteer Fire Department as a teenager; he later joined the Nansemond-Suffolk Volunteer Rescue Squad and was honored as a life member of both organizations; and

WHEREAS, after retiring from Lipton Tea in Suffolk, Bobby Nelms pursued a second career as a full-time emergency medical services professional and was the second individual hired by the Isle of Wight County Department of Emergency Services; and

WHEREAS, Bobby Nelms was a trusted mentor and devoted friend to generations of local emergency medical personnel and earned the nickname "Station Dad" for his commitment to supporting his fellow members of the Isle of Wight Rescue Squad; and

WHEREAS, after moving to Fries in later life, Bobby Nelms continued his service with the Fries Volunteer Fire Department and the Independence Volunteer Rescue Squad; and

WHEREAS, Bobby Nelms was an avid outdoorsman and enjoyed participating in competitive shooting sports and spending time with family members and friends in the Blue Ridge Mountains near his beloved home in Fries; and

WHEREAS, Bobby Nelms will be fondly remembered and greatly missed by his wife of 31 years, Elizabeth; his children, Sarah, Ashley, J.W., and Bill, and their families; his mother, Barbara; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Robert W. Nelms; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Robert W. Nelms as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 629**

*Commending Mt. Zion Baptist Church of Powhatan.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, what has been said of Europe may well be paraphrased to state that the faith is the South, and the South is the faith; and

WHEREAS, Mt. Zion Baptist Church of Powhatan will soon celebrate 150 years of faithful Christian worship, discipleship, evangelization, and ministry, including to numerous needy individuals and many of the important social assistance endeavors in the community of Powhatan County; and

WHEREAS, in the antebellum era, enslaved Blacks from the Smith's Crossroads area were allowed to worship at two churches in their vicinity—Petersville and Mt. Carmel; and

WHEREAS, upon emancipation, these Christian men and women, newly free, wished to establish a place of worship of their own; and

WHEREAS, Hollywood Baptist Church was the first new church established through these prayerful endeavors, but because of the remote and scattered residences of that time, most of the communal Christian life was restricted to prayer meetings held by small groups in the area of Smith's Crossroads; and

WHEREAS, "from this great body of praying Christians," as today's members of the congregation acclaim, Mt. Zion Baptist Church was established in 1872, and land for the church's building was subsequently donated by Brother Pembroke Mosby; and

WHEREAS, the Reverend Ned Goodman was the first minister to preach in the original building, and the Reverend Alfred Morris was the first minister elected to serve as pastor of Mt. Zion Baptist Church; and

WHEREAS, founders of the congregation were Brothers Henry Brown, Isaac Braxton, Sam Braxton, Stephen Brown, Frank Falcon, Hennible Lee, A. D. Hewitt, and T. G. Hewitt, together with Sisters Fannie Brown, Sarah Jackson, Nancy Lee, Rebecca Pittman, Ann Mosby, and Edith Howell; and

WHEREAS, early pastors, succeeding Reverend Morris, were the Reverends T. P. Harris, I. P. Brown, J. R. West, W. L. Morris, A. J. Ryan, and W. L. Saunders; and

WHEREAS, under the pastorship of Reverend Ryan, the church's first Young Men and Young Women clubs were organized; and

WHEREAS, in 1939, Brother J. P. Bell moved that the congregation build a new church building, leading to the formation of a committee composed of Brothers J. P. Bell, J. W. Bell, Sr., J. J. Howell, George Morris, Edward Taylor, and L. T. Harris; and



WHEREAS, the congregation thereafter was able to raise, through a variety of endeavors, the sum of \$1,406.44 to commence the building project; and

WHEREAS, a basement having been dug and the foundation laid, it was in mid-December of 1949 that the congregation decided to borrow \$3,000 from the Bank of Powhatan to complete the outside of the structure and, importantly, to prepare a sanctuary for worship services; and

WHEREAS, the signers of the bank note were the Reverend W. L. Saunders, who had been elected pastor of the church in November 1944, and Brothers John W. Bell, Sr., Alonzo Bell, Willie Williams, Luther Morris, Lee Harris, Cleveland Bradley, and Ernest Johnson and Sister Pearl Howell; and

WHEREAS, the majority of the work required to build and complete the structure was done by the men and women of the congregation, who donated their free labor for the project; and

WHEREAS, the church's new building was dedicated to the worship of God the Father through Jesus Christ the Son, under inspiration of the Holy Spirit, on the second Sunday of March 1950; and

WHEREAS, in early 1998, the congregation decided to build a major addition to the church structure, and the work was conducted by John Milton Flippen, whose motto was "For Every House is Built by Someone, But the Builder of All Things is God"; the new addition was completed and dedicated on August 8, 1999; and

WHEREAS, "As we look back over the past 62 years since the first worship service in this edifice," a church member previously observed, "we praise God for some of the accomplishments made: memorial windows, pulpit and communion furniture, new pews, a Hammond organ, a baptismal pool, waterproofing of the basement (assisted by the W.L. Saunders Memorial Club), and central air conditioning (donated by the W. L. Saunders Memorial Club)"; and

WHEREAS, in the course of its history, Mt. Zion Baptist Church has supported the community through local food banks, the Christmas Mother program, Autism Speaks, the American Cancer Society, Habitat for Humanity, the American Red Cross, the Powhatan Free Clinic, the Powhatan Rescue Squad, and, as a participating member, the Powhatan Coalition of Churches; and

WHEREAS, to commemorate the church's establishment, members of Mt. Zion Baptist Church are planning two days of prayerful remembrance of the history of their congregation on October 15 and 16, 2022; now, therefore, be it

RESOLVED by the House of Delegates, That Mt. Zion Baptist Church of Powhatan and its members hereby be commended for 150 years of faithful Christian life and labor; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Reverend Bryan J. Stevens and thereby to his entire flock in admiration and commendation of the great heritage and Christian witness across 150 years of the members of Mt. Zion Baptist Church of Powhatan.

### HOUSE RESOLUTION NO. 630

*Commending the James Madison High School girls' basketball team.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the James Madison High School girls' basketball team won its third consecutive Virginia High School League Class 6 state championship in 2022; and

WHEREAS, the James Madison Warhawks finished the season with a 27-2 record and defeated the Osbourn Park High School Yellow Jackets by a score of 38-29 in a rematch of the previous state final; and

WHEREAS, the Madison Warhawks' strong defense stymied the Osbourn Park Yellow Jackets throughout the game, blocking 10 shots and receiving 28 rebounds; and

WHEREAS, Grace Arnolie led the Madison Warhawks in scoring with 11 points, followed by Mia Chapman with 10 points; and

WHEREAS, the successful season is a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the entire James Madison High School community; now, therefore, be it

RESOLVED by the House of Delegates, That James Madison High School girls' basketball team hereby be commended on winning its third consecutive Virginia High School League Class 6 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the James Madison High School girls' basketball team as an expression of the House of Delegates' admiration for the team's achievements.

### HOUSE RESOLUTION NO. 631

*Commending the Menchville High School girls' basketball team.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Menchville High School girls' basketball team secured the first state title in program history with a victory in the Virginia High School League Class 5 state championship in 2022; and

WHEREAS, the Menchville High School Monarchs defeated the previously unbeaten Woodgrove High School Wolverines by a lopsided score of 59-36 to become only the second girls' basketball team from Newport News Public Schools to win a state championship; and

WHEREAS, the Menchville Monarchs balanced one-on-one defensive pressure with an aggressive offense to dominate the flow of the state championship; junior Amari Smith led the team with 17 points and eight rebounds, followed by Atiana Williams and Jayleen Hallums with 13 points each; and

WHEREAS, Amari Smith was named the Class 5 Player of the Year, averaging 21.5 points, 8.5 rebounds, four assists, three steals, and two blocks per game throughout the season; and

WHEREAS, the Menchville Monarchs' head coach, Adrian Webb, was named the Class 5 Coach of the Year after leading the team to an impressive 24-3 overall record; and

WHEREAS, the historic win is a tribute to the skill and perseverance of all the student-athletes, the leadership and dedication of coaches and staff, and the unwavering support of the entire Menchville High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Menchville High School girls' basketball team hereby be commended on winning the Virginia High School League Class 5 state championship in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Adrian Webb, head coach of the Menchville High School girls' basketball team, as an expression of the House of Delegates' admiration for the team's achievements.

### HOUSE RESOLUTION NO. 632

*Commending the Washington and Lee High School boys' basketball team.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Washington and Lee High School boys' basketball team of Montross won the Virginia High School League Class 1 state semifinal in 2022; and

WHEREAS, the Washington and Lee High School Eagles started the 2021-2022 season with only two returning varsity players after the previous season was cancelled due to the COVID-19 pandemic; and

WHEREAS, throughout the season, the Washington and Lee Eagles were guided by their motto "I Got My Piece," highlighting the importance of every player's contributions to the team as a whole through their unique skills and experiences; and

WHEREAS, the Washington and Lee Eagles built up their confidence by facing several tough, non-district opponents, including teams from King George High School, Massaponax High School, and Woodbridge High School, and finished the regular season second in the Northern Neck district with a 7-3 district record; and

WHEREAS, in the postseason, the Washington and Lee Eagles defeated their district rivals the Lancaster High School Red Devils by a score of 59-57 in a thrilling upset victory; and

WHEREAS, the Washington and Lee Eagles trailed for most of the game, only taking their first lead with 2:42 to play, but the team's determination and perseverance paid off with a winning layup in the final seconds of the match; and

WHEREAS, with the state semifinal win, the Washington and Lee Eagles avenged three previous losses to the Lancaster Red Devils throughout the season, including one in the Region 1A championship final; and

WHEREAS, the Washington and Lee Eagles were honored to represent the Northern Neck in the state championship, making their first appearance in the final since 1998, and ultimately finished the season with a 15-8 overall record; and

WHEREAS, the successful season is a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the unwavering support of the entire Washington and Lee High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Washington and Lee High School boys' basketball team hereby be commended on winning the Virginia High School League Class 1 state semifinal and finishing the season as the Class 1 state runner-up in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Martin Astrop, Athletic Director of Washington and Lee High School, as an expression of the House of Delegates' admiration for the team's achievements.

### HOUSE RESOLUTION NO. 633

*Commending the McLean Symphony Orchestra.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the McLean Symphony Orchestra, which has inspired and uplifted countless concertgoers over the years through many high-quality, accomplished performances, celebrated its 50th anniversary in 2021; and

WHEREAS, the origins of the McLean Symphony Orchestra date to 1970, when June and Robert Trayhern, directors of McLean's Academy of Musical Arts, encouraged conductor Dingwall Fleary to organize a grassroots ensemble that would provide the school's faculty and students with the opportunity to perform in a live orchestra; and

WHEREAS, as a result of its initial success, what would become the McLean Symphony Orchestra quickly grew beyond the academy to establish itself as one of the first community orchestras in Northern Virginia that was staffed exclusively by amateur musicians; and

WHEREAS, with early and enthusiastic support from influential members of the McLean community, the first board of directors of what would become the McLean Symphony Orchestra was established in 1971, marking the official beginning of the orchestra's history; and

WHEREAS, originally known as the McLean Chamber Orchestra, the McLean Symphony Orchestra started with approximately 18 to 25 musicians but has since grown to feature more than 60 players; and

WHEREAS, with a mission to cultivate talent and interest in classical music among young people in the local community, the McLean Symphony Orchestra has highlighted many up-and-coming performers over the years, while providing a stage for several established solo artists in the Washington, D.C., metropolitan area; and

WHEREAS, for the entirety of its existence, the McLean Symphony Orchestra has been masterfully led by Dingwall Fleary, an award-winning conductor whose guidance over the past half-century has been integral to the orchestra's success as it has embraced a broader and more diverse symphonic repertoire; and

WHEREAS, the McLean Symphony Orchestra will honor its golden jubilee with celebratory performances on April 9, 2022, and June 19, 2022, offering attendees the opportunity to revel in and reflect upon the orchestra's impact on the community over the past 50 years; and

WHEREAS, through an untold number of enchanting performances and other activities in the community, the McLean Symphony Orchestra has helped to make Northern Virginia a more wonderful place to call home; now, therefore, be it

RESOLVED by the House of Delegates, That the McLean Symphony Orchestra hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dingwall Fleary, music director and conductor of the McLean Symphony Orchestra, as an expression of the House of Delegates' admiration for the orchestra's history and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 634

*Commending the Cooper Middle School band.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, in 2021, the Cooper Middle School band of McLean was presented the Sudler Cup by the John Philip Sousa Foundation, a prestigious international honor bestowed upon secondary school-level concert bands for outstanding musical achievement; and

WHEREAS, with this honor, the Cooper Middle School band joined the exclusive company of only 60 schools that have been recognized with the Sudler Cup since it was established in 1985; and

WHEREAS, in order to be eligible for the Sudler Cup, the Cooper Middle School band had to achieve and maintain concert excellence for seven consecutive years under the same conductor, among other criteria; and

WHEREAS, on its path to earning the Sudler Cup, the Cooper Middle School band was required to perform at several state and national level conferences and to receive letters of recognition and recommendations from noted educators and conductors; and

WHEREAS, the Sudler Cup embodies the culture of excellence that the Cooper Middle School band has cultivated over the past several years and that will ensure the program continues to impress audiences for many years to come; and

WHEREAS, the success of the Cooper Middle School band is the result of the hard work and dedication of the student-musicians, the leadership and guidance of their band director, Matt Baker, and their teachers, and the unwavering support of their parents and the entire Cooper Middle School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Cooper Middle School band hereby be commended for receiving the John Philip Sousa Foundation's Sudler Cup in 2021; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Matt Baker, director of the Cooper Middle School band, as an expression of the House of Delegates' admiration for the band's accomplishments.

**HOUSE RESOLUTION NO. 635**

*Commending La'Shay Foreman.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, La'Shay Foreman, the school social worker at Hurt Park Elementary School in Roanoke, was named the Education Hero by the Southwest Virginia Chapter of the American Red Cross in 2022; and

WHEREAS, La'Shay Foreman is in her fifth year with Hurt Park Elementary School, where she serves as a liaison between students, teachers, parents, and the community and ensures families have the resources and tools they need for students to grow and thrive; and

WHEREAS, La'Shay Foreman cultivates a culture of success at Hurt Park Elementary School by attending to the social and emotional needs of her students and supporting families; and

WHEREAS, La'Shay Foreman's endeavors have included leading food drives before school holidays and breaks, which have given hundreds of students greater access to healthy, nutritious food while they are out of school; and

WHEREAS, La'Shay Foreman spearheads the Hurt Park Elementary School Angel Tree program, which provides gifts to students in need, as well as the Girls on the Run empowerment program and the Hurt Park Elementary School safety patrol; and

WHEREAS, La'Shay Foreman was one of 10 community heroes to be recognized by the Southwest Virginia Chapter of the American Red Cross at the organization's Help Can't Wait-A Celebration of Heroes event on April 19, 2022; and

WHEREAS, as part of the award, La'Shay Foreman has been featured in a special program aired by WSLN 10 News in Roanoke, bringing greater awareness to the impact she has had on numerous lives; and

WHEREAS, La'Shay Foreman's commitment to the well-being of the students and families under her care has helped to make Roanoke a more wonderful place to live, work, and learn; now, therefore, be it

RESOLVED by the House of Delegates, That La'Shay Foreman, an accomplished school social worker at Hurt Park Elementary School, hereby be commended for being named the 2022 Education Hero by the Southwest Virginia Chapter of the American Red Cross; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to La'Shay Foreman as an expression of the House of Delegates' admiration for her contributions to the Commonwealth.

**HOUSE RESOLUTION NO. 636**

*Commending Adam Stone.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Adam Stone, a highly admired member of the Arlington County Police Department, retired in April 2022 after more than three decades of exceptional service to the community; and

WHEREAS, Adam Stone grew up in Long Island, New York, and fulfilled his lifelong dream to become a law-enforcement officer when he relocated to the Commonwealth and joined the Arlington County Police Department in 1990; and

WHEREAS, Adam Stone joined the Arlington County Police Department's motorcycle unit in 1994 and was a well-known presence in the community as an escort for marathons, holiday events, protests, and motorcades for the president of the United States and other dignitaries; and

WHEREAS, Adam Stone adapted to numerous changes in training and technology in policing throughout his long and distinguished career and always worked diligently to maintain his commitment to good public service and building trust and mutual respect with members of the Arlington County community; and

WHEREAS, Adam Stone supported veterans and active-duty soldiers living in the Washington, D.C., metropolitan area, and he was a passionate advocate for his fellow police officers, drawing on his own experiences to help develop a wellness program that provides tools and resources to meet the unique mental health needs of law-enforcement officers; and

WHEREAS, Adam Stone has served the Arlington County community with the utmost dedication and distinction, and his legacy lives on through the countless officers he mentored and inspired throughout his career; now, therefore, be it

RESOLVED by the House of Delegates, That Adam Stone hereby be commended on the occasion of his retirement from the Arlington County Police Department; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Adam Stone as an expression of the House of Delegates' admiration for his achievements in service to the residents of Arlington County.

**HOUSE RESOLUTION NO. 637**

*Commending the Norfolk State University men's basketball team.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Norfolk State University men's basketball team won the Mid-Eastern Athletic Conference Championship on March 12, 2022, at the Norfolk Scope Arena; and

WHEREAS, the Norfolk State University Spartans defeated the Coppin State University Eagles by a score of 72-57 to bring home the program's second consecutive Mid-Eastern Athletic Conference (MEAC) championship title; and

WHEREAS, after leading by only four points at halftime, the Norfolk State Spartans came out strong in the beginning of the second half, making more than 60 percent of their baskets in the last 20 minutes of play as they coasted to a commanding victory; and

WHEREAS, the Norfolk State Spartans were led in the contest by MEAC Player of the Year Joe Bryant, Jr., who scored 23 points; Jalen Hawkins, who had 17 points; and Dana Tate, who added 13 points; and

WHEREAS, the Norfolk State Spartans went a perfect 11-0 on their home court at Joseph G. Echols Memorial Hall in the 2021-2022 season and punched their ticket to the National Collegiate Athletic Association men's basketball tournament for the second straight year with their MEAC tournament championship win; and

WHEREAS, the success of the Norfolk State Spartans is the result of the dedication and hard work of the student-athletes, the leadership and guidance of their coaches and professors, and the unwavering support of the entire Norfolk State University community; now, therefore, be it

RESOLVED by the House of Delegates, That the Norfolk State University men's basketball team hereby be commended for winning the 2022 Mid-Eastern Athletic Conference Championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Robert Jones, head coach of the Norfolk State University men's basketball team, as an expression of the House of Delegates' admiration for the team's achievement.

**HOUSE RESOLUTION NO. 638**

*Commending Joe Bryant, Jr.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Joe Bryant, Jr., a leading member of the Norfolk State Spartans men's basketball team, was named the Mid-Eastern Athletic Conference Player of the Year in 2022; and

WHEREAS, during the 2021-2022 season, Joe Bryant led the Mid-Eastern Athletic Conference (MEAC) in scoring, finishing the regular season with 453 points and an average of 16.8 points per game, while ranking fourth in the conference with 3.3 assists per game and receiving MEAC Player of the Week honors four times; and

WHEREAS, after helping the Norfolk State Spartans win their second consecutive MEAC tournament championship in March 2022, Joe Bryant was named the tournament's Most Outstanding Player for the second year in a row, becoming the first player to achieve that feat since 1995; and

WHEREAS, Joe Bryant is notably only the second Norfolk State Spartan in program history to be named both MEAC Player of the Year and MEAC tournament Most Outstanding Player in the same season; and

WHEREAS, over 27 games, Joe Bryant made 112 out of 122 shots from the line for a .918 free throw percentage, giving him the best percentage in the MEAC and the third best among all National Collegiate Athletic Association Division I programs; and

WHEREAS, before joining the Norfolk State Spartans, Joe Bryant was a standout athlete at Lake Taylor High School in Norfolk, where he was twice a first-team All-Tidewater selection; and

WHEREAS, in addition to his accomplishments on the court, Joe Bryant has also excelled as a student at Norfolk State University, placing on the athletic director's honor roll each semester while studying for a degree in mass communications; now, therefore, be it

RESOLVED by the House of Delegates, That Joe Bryant, Jr., of the Norfolk State University men's basketball team hereby be commended for being named the Mid-Eastern Athletic Conference 2022 Player of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Joe Bryant, Jr., as an expression of the House of Delegates' admiration for his achievements and best wishes in his future endeavors.

**HOUSE RESOLUTION NO. 639**

*Commending Robert Jones.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Robert Jones, head coach of the Norfolk State University men's basketball team for the past nine seasons, was named the Mid-Eastern Athletic Conference Coach of the Year and the Hugh Durham National Coach of the Year in 2022; and

WHEREAS, in the 2021-2022 season, Robert Jones led his team to an impressive 24-7 record, including a 12-2 record in Mid-Eastern Athletic Conference (MEAC) play and a perfect 11-0 record at home; and

WHEREAS, during the 2021-2022 season, Robert Jones became the third coach in Norfolk State University men's basketball program history to win more than 100 games and the first to do so since the program began competing at the National Collegiate Athletic Association (NCAA) Division I level; and

WHEREAS, for the second year in a row, Robert Jones and the Norfolk State Spartans won the MEAC regular season title, the MEAC tournament championship, and a bid to the NCAA men's basketball tournament; and

WHEREAS, over his tenure as head coach of the Norfolk State University men's basketball team, Robert Jones has led his squad to three 20-plus win seasons, three MEAC regular season titles, and two MEAC tournament championships; and

WHEREAS, following the Norfolk State Spartans' success in the 2022 MEAC tournament championship, Robert Jones was recognized as the tournament's Most Outstanding Coach; and

WHEREAS, Robert Jones recently led Team McLendon to victory in the inaugural Historically Black Colleges and Universities (HBCU) All-Star Game, which was held on April 3, 2022, at UNO Lakefront Arena in New Orleans; and

WHEREAS, along with being selected by his peers for MEAC Coach of the Year honors for the second time in four years, Robert Jones also received the 2022 Hugh Durham National Coach of the Year Award, which recognizes the top head coach from a mid-major NCAA Division I basketball program; and

WHEREAS, Robert Jones' accolades and accomplishments are a testament to his tireless dedication to his student-athletes and the entire Norfolk State University community; now, therefore, be it

RESOLVED by the House of Delegates, That Robert Jones, head coach of the Norfolk State University men's basketball team, hereby be commended for being named the 2022 Mid-Eastern Athletic Conference Coach of the Year and the 2022 Hugh Durham National Coach of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Robert Jones as an expression of the House of Delegates' admiration for his achievements and best wishes in his future endeavors.

**HOUSE RESOLUTION NO. 640**

*Commending Ethan Vasko.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Ethan Vasko, a student-athlete who played quarterback for the Oscar Smith High School football team of Chesapeake, was named the Virginia High School League Class 6 Offensive Player of the Year in 2022; and

WHEREAS, Ethan Vasko threw for 3,156 yards and 38 touchdowns and rushed for 373 yards and eight touchdowns over the 2021-2022 season, earning his third first-team All-Tidewater selection and Virginia High School League (VHSL) Class 6 all-state first-team quarterback honors; and

WHEREAS, Ethan Vasko's stellar play throughout the season led the Oscar Smith High School Tigers to an excellent 13-1 record and the team's second consecutive VHSL Class 6 state championship with a 42-17 win over James Madison High School of Vienna on December 11, 2021; and

WHEREAS, during the VHSL Class 6 Region A quarterfinal against Cosby High School of Midlothian on November 11, 2021, Ethan Vasko set a state record for total touchdowns in a game and tied a state record for passing touchdowns in a game with nine passing touchdowns and one rushing touchdown; and

WHEREAS, Ethan Vasko recently committed to play for the University of Kansas, where he will have the opportunity to extend what has already been an impressive and noteworthy football career; now, therefore, be it

RESOLVED by the House of Delegates, That Ethan Vasko, quarterback of the Oscar Smith High School football team, hereby be commended for being named the Virginia High School League Class 6 2022 Offensive Player of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ethan Vasko as an expression of the House of Delegates' admiration for his achievements and best wishes for his future endeavors.

**HOUSE RESOLUTION NO. 641***Commending Kevon King.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Kevon King, an accomplished student-athlete and running back for the Oscar Smith High School football team of Chesapeake, was named the Abe Goldblatt All-Tidewater Player of the Year in 2021; and

WHEREAS, after leading his team to a Virginia High School League (VHSL) Class 6 state championship in the 2020-2021 season, Kevon King redoubled his training regimen and elevated his level of play, overwhelming defenses throughout the 2021-2022 season with his dynamic combination of speed, power, and athleticism; and

WHEREAS, over the 2021-2022 season, Kevon King rushed for 1,785 yards and 27 touchdowns and had 16 receptions for 324 yards and five touchdowns, earning him his second first-team All-Tidewater selection and VHSL Class 6 all-state first-team honors; and

WHEREAS, Kevon King was an integral part of the Oscar Smith Tigers' offense this past season, breaking school records for rushing yards and rushing touchdowns while providing more than 60 percent of the team's rushing yards and 40 percent of the team's scoring; and

WHEREAS, Kevon King tallied nearly 700 yards and 10 touchdowns during the 2021-2022 VHSL playoffs, including 290 yards and three touchdowns in a 42-17 win over James Madison High School of Vienna on December 11, 2021, that gave the Oscar Smith High School Tigers their second consecutive VHSL Class 6 state championship title; and

WHEREAS, Kevon King is the seventh Oscar Smith Tiger to receive the Abe Goldblatt All-Tidewater Player of the Year honor and the program's first full-time running back to win this prestigious award; and

WHEREAS, Kevon King recently committed to play for the Norfolk State University Spartans, where he will have the opportunity to extend what has already been an impressive and noteworthy football career; now, therefore, be it

RESOLVED by the House of Delegates, That Kevon King, running back of the Oscar Smith High School football team, hereby be commended for being named the 2021 Abe Goldblatt All-Tidewater Player of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kevon King as an expression of the House of Delegates' admiration for his achievements and best wishes in his future endeavors.

**HOUSE RESOLUTION NO. 642***Commending Caleb Jones.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Caleb Jones, a student-athlete who played lineman for the Oscar Smith High School football team of Chesapeake, was named the Virginia High School League Class 6 Defensive Player of the Year in 2022; and

WHEREAS, over the 2021-2022 season, Caleb Jones recorded 15 sacks and 88 tackles, including 47 for a loss of yards, earning him his third All-Tidewater selection and Virginia High School League (VHSL) Class 6 all-state first-team honors; and

WHEREAS, in the prior season, which was abbreviated due to the COVID-19 pandemic, Caleb Jones had 56 tackles, including 37 for a loss of yards, and 12 sacks as he contributed to the team's state championship run; and

WHEREAS, Caleb Jones consistently made an impact for his team throughout the year, often facing double and triple coverage from opposing teams; and

WHEREAS, Caleb Jones' stellar play helped the Oscar Smith High School Tigers secure an outstanding 13-1 record in the 2021-2022 season and the team's second consecutive VHSL Class 6 state championship title following its 42-17 win over James Madison High School of Vienna on December 11, 2021; and

WHEREAS, Caleb Jones has excelled both on the gridiron and in the classroom, maintaining a 4.0 grade-point average as he prepares for the next stage in his academic journey; and

WHEREAS, Caleb Jones recently committed to play for North Carolina Agricultural and Technical State University, where he will have the opportunity to extend what has already been an impressive and noteworthy football career; now, therefore, be it

RESOLVED by the House of Delegates, That Caleb Jones, lineman for the Oscar Smith High School football team, hereby be commended for being named the Virginia High School League Class 6 2022 Defensive Player of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Caleb Jones as an expression of the House of Delegates' admiration for his achievements and best wishes for his future endeavors.

**HOUSE RESOLUTION NO. 643***Commending Eli Linden.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Eli Linden, an honorable veteran and member of "The Greatest Generation," served his country with courage and valor during World War II; and

WHEREAS, in January 1943 at the age of 19, Eli Linden received his draft notice and subsequently reported to Fort McClellan in Alabama for basic training; and

WHEREAS, after completing additional training in England in May 1944, Eli Linden landed at Omaha Beach three weeks after D-Day as a replacement with the 90th Infantry Division; and

WHEREAS, Eli Linden was then wounded by shrapnel during the Battle of the Hedgerows, an intense period of fighting between American and German forces during the summer of 1944; and

WHEREAS, following a three-month recovery in England, Eli Linden returned to France and joined the 90th Infantry Division of General George S. Patton's Third United States Army as a member of its forward scout team; and

WHEREAS, while serving as a scout, Eli Linden bravely patrolled ahead of his platoon and beyond the Siegfried Line to collect valuable intel that would help prevent his fellow soldiers from being ambushed; and

WHEREAS, Eli Linden was later captured by German soldiers and became a prisoner of war at Stalag IV-B, one of the largest prisoner-of-war camps in Germany during World War II; and

WHEREAS, Eli Linden endured pleurisy, impetigo, and frostbite and survived harrowing conditions while imprisoned at Stalag IV-B; he was ultimately liberated in May 1945 by Russian Cossacks, walking five miles and crossing the Elbe River to reach safety behind American lines; and

WHEREAS, arriving home shortly thereafter, Eli Linden enjoyed a one-month furlough before concluding his service at Camp Shelby in Mississippi, where he trained for the possibility of an invasion of Japan; and

WHEREAS, over many years, Eli Linden has shared his wartime experiences with various audiences, including middle school students in Loudoun County as part of Loudoun County Public Schools' World War II history curriculum; and

WHEREAS, Eli Linden's dedication and sacrifice during World War II epitomized the virtues of the United States Armed Forces and will be an inspiration to Americans for many generations to come; now, therefore, be it

RESOLVED by the House of Delegates, That Eli Linden hereby be commended for his valorous and extraordinary efforts in service to the nation during World War II; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Eli Linden as an expression of the House of Delegates' admiration for his service.

**HOUSE RESOLUTION NO. 644***Commending Elizabeth Coyle.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Elizabeth Coyle, a special education teacher at River Bend Middle School in Loudoun County, was named Secondary New Teacher of the Year by Loudoun County Public Schools in 2022; and

WHEREAS, prior to her career as an educator, Elizabeth Coyle earned a bachelor's degree in human development and family science and a master's degree in special education from George Mason University; and

WHEREAS, Elizabeth Coyle acquired valuable experience for her new career by serving as a special education behavioral assistant and teacher's assistant for two years and as a Special Olympics basketball and volleyball coach at various times over the years; and

WHEREAS, with a calm demeanor and the utmost professionalism, Elizabeth Coyle goes above and beyond the call of duty each and every day to meet her students' needs; and

WHEREAS, in her first year as a teacher, Elizabeth Coyle has excelled in instructional planning and content delivery as a result of her deep understanding of the developmental needs of adolescent students; and

WHEREAS, from classroom pacing to checking for comprehension, Elizabeth Coyle has demonstrated the ability to personalize instruction for students with disabilities by cultivating authentic learning experiences; and

WHEREAS, Elizabeth Coyle actively listens to her students and their families while they speak, with clear intentions to know and understand them and to build meaningful connections that will foster their long-term academic goals; and

WHEREAS, Elizabeth Coyle's accomplishments in her first year as an educator are the result of her unwavering commitment to her students' well-being and her tireless efforts to ensure that they thrive both in and out of the classroom; now, therefore, be it

RESOLVED by the House of Delegates, That Elizabeth Coyle, a special education teacher at River Bend Middle School, hereby be commended for being named the 2022 Loudoun County Public Schools Secondary New Teacher of the Year; and, be it



RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Elizabeth Coyle as an expression of the House of Delegates' admiration for her contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 645

*Commending RoboLoCo.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, RoboLoCo, a robotics team at the Academies of Loudoun, won the Engineering Inspiration Award at the FIRST Chesapeake District Championship in Hampton on April 9, 2022; and

WHEREAS, RoboLoCo, short for Robotics Loudoun County and also known as Team 5338, is a FIRST Robotics Competition (FRC) team founded in 2013 that competes in the organization's Chesapeake District and is the only FRC team in Loudoun County; and

WHEREAS, RoboLoCo is one of thousands of FRC teams competing globally through the organization FIRST, which stands for "For Inspiration and Recognition of Science and Technology" and was created "to inspire young people to be science and technology leaders and innovators"; and

WHEREAS, the FIRST Engineering Inspiration Award to RoboLoCo recognized the team for its efforts to promote greater respect and appreciation for engineering both at the Academies of Loudoun and in the community; and

WHEREAS, RoboLoCo's win at the Chesapeake District competition marked the first time the program received a recognition at the district level and also earned the team a bid to the FIRST World Championship held in Houston in April 2022; and

WHEREAS, for this year's competition, RoboLoCo had nine weeks to build a robot that could manage a given set of tasks, testing students' problem-solving abilities, creativity, and analytical reasoning; and

WHEREAS, RoboLoCo's members were assigned to various teams, including mechanical, software, business, and creative, to complete a number of projects and tasks, including building the robot, coding a scouting app, launching a podcast and resource bank, and designing an all-new sponsorship banner and leadership poster; and

WHEREAS, prior to the Chesapeake District Championship, RoboLoCo competed in two qualifier events in Washington, D.C., in March 2022; the team placed sixth overall and captained the fourth-seeded alliance and was selected as a finalist for the Engineering Inspiration Award in the first competition and led the second-seeded alliance and received the Imagery Award for its creative efforts in the second competition; and

WHEREAS, in addition to receiving the FIRST Engineering Inspiration Award and finishing 27th at the Chesapeake District Championship, the program's best district-level finish to date, RoboLoCo saw one of its members chosen as a Chesapeake District Dean's List finalist; and

WHEREAS, the success of RoboLoCo is the result of the hard work and dedication of the student-engineers, the leadership and guidance of their coaches and teachers, and the unwavering support of the entire Academies of Loudoun community; now, therefore, be it

RESOLVED by the House of Delegates, That RoboLoCo of the Academies of Loudoun hereby be commended for receiving the 2022 FIRST Engineering Inspiration Award; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to RoboLoCo as an expression of the House of Delegates' admiration for the team's accomplishments and best wishes in its future endeavors.

### HOUSE RESOLUTION NO. 646

*Commending Caroline Brunetti.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Caroline Brunetti, a fourth-grade teacher at Cedar Lane Elementary School in Loudoun County, was named New Teacher of the Year by Loudoun County Public Schools in 2022; and

WHEREAS, after attending Loudoun County Public Schools in grades four through 12 and graduating from Loudoun County High School, Caroline Brunetti earned a bachelor's degree in elementary education from Western Governors University; and

WHEREAS, prior to becoming an elementary school educator, Caroline Brunetti served as a kindergarten teacher's assistant for four years and as a substitute teacher for two years while raising her young children, acquiring skills and expertise that would help her in her new career; and

WHEREAS, Caroline Brunetti attributes her lifelong interest in becoming a teacher to the positive and formative experiences she had as an elementary school student, which continue to guide her approach to teaching today; and

WHEREAS, in her first year as a fourth-grade teacher, Caroline Brunetti has demonstrated excellent instructional skills, the poise of a veteran, and the enthusiasm and energy that make her classroom a truly inclusive and supportive place to be for each and every student she serves; and

WHEREAS, Caroline Brunetti has demonstrated a commitment to the idea that all students flourish in an environment where high expectations are in place, trust is established, and every student feels valued for their contributions to the classroom; and

WHEREAS, Caroline Brunetti brings humor, kindness, and a caring demeanor to her work, exudes a true sense of selflessness, and, through her commitment to service, has also developed a strong servant leadership philosophy that is aligned with Cedar Lane Elementary School's focus on providing each student with a joyful learning experience; and

WHEREAS, Caroline Brunetti's accomplishments in her first year as an educator are the result of her unwavering commitment to her students' well-being and her tireless efforts to ensure that they thrive both in and out of the classroom; now, therefore, be it

RESOLVED by the House of Delegates, That Caroline Brunetti, a fourth-grade teacher at Cedar Lane Elementary School, hereby be commended for being named the 2022 Loudoun County Public Schools New Teacher of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Caroline Brunetti as an expression of the House of Delegates' admiration for her service to the Commonwealth.

### HOUSE RESOLUTION NO. 647

*Commemorating the life and legacy of Edward Henderson Benson.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Edward Henderson Benson, an honorable veteran who died while serving the United States Army Air Forces during World War II, will be remembered with a funeral service and interment in May 2022 following the location and identification of his remains earlier this year; and

WHEREAS, Private First Class Edward Henderson "Pete" Benson and 39 other soldiers with the 1562nd Army Air Force Base Unit on Biak Island, located approximately 900 miles from New Guinea, were killed following a Japanese air raid on March 22, 1945; and

WHEREAS, Pete Benson was one of four service members whose remains could not be identified or located, and for many years he was buried at Fort William McKinley Cemetery, now known as the Manila American Cemetery and Memorial, in the Philippines; and

WHEREAS, though his remains were initially declared non-recoverable, successive requests by Pete Benson's son, Colonel James H. Benson, Sr., USM Ret., led the Defense POW/MIA Accounting Agency to disinter remains at the Manila American Cemetery and send them to a laboratory at Joint Base Pearl Harbor-Hickam in Hawaii for analysis; and

WHEREAS, using circumstantial evidence as well as dental, anthropological, and DNA analysis, the United States government successfully concluded its 77-year search for the remains of Pete Benson in January 2022; and

WHEREAS, on May 14, 2022, Pete Benson's remains will be laid to rest in his hometown of Roanoke at his family's plot in Evergreen Burial Park, bringing lasting closure and peace to his descendants and loved ones; now, therefore, be it

RESOLVED by the House of Delegates, That the life and legacy of Edward Henderson Benson, a distinguished veteran of the United States Army Air Forces, hereby be commemorated on the occasion of his funeral and interment; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Edward Henderson Benson as an expression of the House of Delegates' respect for his sacrifice in service to the country.

### HOUSE RESOLUTION NO. 648

*Commending Larry Hall.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Larry Hall, a former wrestler, wrestling coach, referee, and tournament organizer, has served young people throughout the Roanoke Valley and the Commonwealth for more than 60 years; and

WHEREAS, Larry Hall began his wrestling career as a sophomore at Roanoke's Northside High School and subsequently competed with the Appalachian State University wrestling team for all four years of his college career; and

WHEREAS, Larry Hall officiated his first high school wrestling match when he was a junior in college and later returned to Northside High School as head wrestling coach; during his 13-year career at his alma mater, he also coached the golf, freshman football, track and field, and tennis teams; and

WHEREAS, Larry Hall later worked at William Fleming High School, James River High School, and Botetourt Technical Education Center, then served as director of operations for Botetourt County Public Schools; and

WHEREAS, Larry Hall returned to officiating after retiring as a coach; he worked as a referee for local high school wrestling matches, as well as for larger events like the Southern Conference Wrestling Championship and the National Collegiate Athletic Association (NCAA) Division III regional tournament; and

WHEREAS, in 1987, Larry Hall became the director of the Virginia High School League (VHSL) Class 1 state tournament, and after three years of able leadership, he guided efforts to combine the Class 1 and Class 2 tournaments and relocate the event to the Salem Civic Center; and

WHEREAS, Larry Hall ensured the smooth and efficient operation of VHSL wrestling state tournaments at the Salem Civic Center for the next 31 years, including a period where four classes of tournaments were held over the same weekend, and earned the gratitude and admiration of wrestling coaches, staff members, and student-athletes throughout the region; and

WHEREAS, over the years, Larry Hall also served as director of the Titan Toughman, Big Orange, and VHSL Region 3D wrestling tournaments, and he coordinated an NCAA Division III national championship tournament in Roanoke; and

WHEREAS, Larry Hall worked with the Roanoke Valley Wrestling Association to raise money to support college scholarships for student-athletes, and he was a charter member of the Roanoke Valley Wrestling Hall of Fame; and

WHEREAS, known as "Mr. Wrestling" in Southwest Virginia, Larry Hall retired as a wrestling tournament director in February 2022 but plans to continue supporting young athletes in the region; now, therefore, be it

RESOLVED by the House of Delegates, That Larry Hall hereby be commended for his outstanding contributions to high school and college wrestling in the Roanoke Valley as a coach, referee, and tournament director; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Larry Hall as an expression of the House of Delegates' admiration for his achievements in service to young people.

### HOUSE RESOLUTION NO. 649

*Celebrating the life of James Calvin Francisco, Jr.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, James Calvin Francisco, Jr., honorable veteran, accomplished real estate agent, esteemed public servant, and beloved member of the New Kent County community, died on April 11, 2022; and

WHEREAS, after graduating from Christiansburg High School and attending Emory & Henry College, James "Jimmie" Calvin Francisco, Jr., served his country with honor and distinction as a member of the United States Marine Corps; and

WHEREAS, Jimmie Francisco later protected and served citizens of the Commonwealth as an officer with the Virginia State Police before embarking on a remarkable career in real estate in New Kent County that would span more than 60 years; and

WHEREAS, Jimmie Francisco was the owner and principal broker of Francisco Real Estate for many years and remained an integral part of the business after transferring ownership to Paul Robinson in 1993; and

WHEREAS, over his 16 years on the New Kent County Board of Supervisors, Jimmie Francisco admirably represented the interests of his constituents while serving as the board's appointee to the Richmond Regional Planning District Commission; and

WHEREAS, Jimmie Francisco gave generously of his time to the community, serving on and chairing the New Kent County Social Services Board and maintaining membership with the Providence Forge Ruritan Club; and

WHEREAS, Jimmie Francisco's outsized impact on the New Kent County community was felt through his role in the formation of the Quinton Volunteer Fire & EMS and the Quinton Community Center; and

WHEREAS, guided throughout his life by his faith, Jimmie Francisco was a lifelong member of Providence United Methodist Church in Quinton, where he served in various capacities, including as chairman of the Board of Trustees; and

WHEREAS, preceded in death by his loving wife of 60 years, Shirley, Jimmie Francisco will be fondly remembered and dearly missed by his children, James III and Alice Ann, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of James Calvin Francisco, Jr., a cherished member of the New Kent County community whose kind and radiant spirit touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of James Calvin Francisco, Jr., as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 650

*Commending Leigh Saunders Kitcher.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Leigh Saunders Kitcher has been a leader and dedicated volunteer in the Vienna community for more than 30 years, serving in leadership roles on the boards of Historic Vienna, Inc., the Ayr Hill Garden Club, and the National Capital Area Garden Club; and

WHEREAS, a diligent researcher and determined leader, Leigh Kitcher was selflessly dedicated to the initial planning, organization, implementation, and success of the inaugural Liberty Amendments Month, a commemoration of the passage

of the Thirteenth, Fourteenth, Fifteenth, and Nineteenth Amendments that granted full rights to citizens who were previously excluded from the U.S. Constitution, that took place from June 19, 2021, through July 19, 2021; and

WHEREAS, Leigh Kitcher's work to conceptualize the Liberty Amendments Month event with Vienna Town Manager Mercury Payton led to the official designation by the General Assembly of the annual Liberty Amendments Month on June 19 through the third Monday in July of each year; and

WHEREAS, Leigh Kitcher's leadership on the Liberty Amendments Advisory Committee and Facilitators groups in 2021 resulted in an astonishingly successful inaugural program, including 65 educational and commemorative events presented to more than 22,000 people; and

WHEREAS, Leigh Kitcher had a hand in each one of the 65 Liberty Amendments Month events that took place in 2021, whether it was providing guidance and creative problem solving or planning, researching, and executing an event from start to finish; and

WHEREAS, Leigh Kitcher dedicated more than 1,000 hours to the Liberty Amendments Month program in 2021; now, therefore, be it

RESOLVED by the House of Delegates, That Leigh Saunders Kitcher hereby be commended for her outstanding leadership and dedication to the success of the inaugural Liberty Amendments Month, a celebration of equality throughout the Vienna community and the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Leigh Saunders Kitcher as an expression of the House of Delegates' admiration for her work to strengthen cultural values, to bring communities together to foster mutual respect and understanding, and to preserve the heritage and history of the nation through Liberty Amendments Month.

### HOUSE RESOLUTION NO. 651

*Celebrating the life of David Harold Salzberg, Ph.D.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, David Harold Salzberg, Ph.D., a respected scientist and community leader in Vienna who helped provide accurate and timely information to the residents of the Commonwealth during the COVID-19 pandemic, died on March 20, 2022; and

WHEREAS, David Salzberg graduated from James Madison High School in Vienna and earned a bachelor's degree in geophysics from Virginia Polytechnic Institute and State University, as well as master's and doctoral degrees in geological sciences from the State University of New York at Binghamton; and

WHEREAS, David Salzberg worked as a geophysicist and scientist at Multimax, Inc., from 1994 to 1995, when he joined Science Applications Internal Corporation, now known as Leidos, and over the course of his long and distinguished career, he gained a wealth of knowledge in data visualization tools and the development of scientific algorithms with practical applications; and

WHEREAS, David Salzberg was an active member and officer of the Potomac Geophysical Society and published dozens of academic papers and presented at numerous professional conferences; and

WHEREAS, David Salzberg's real-life experiences as a scientist inspired the creation of the recurring character Bert Kibbler on the television show *Big Bang Theory*; and

WHEREAS, David Salzberg was an active volunteer throughout the Vienna community, serving as a science fair judge and a mentor for science students in local schools, as well as photographer of the James Madison High School marching band; and

WHEREAS, David Salzberg was an avid baseball fan who proudly supported the Washington Nationals and further served his community as a youth softball coach; and

WHEREAS, during the COVID-19 pandemic, David Salzberg worked to combat misinformation about transmission rates and created a program to track COVID-19 cases in Virginia; he posted the results on his Facebook page and a blog, becoming a trusted source of local COVID-19 case numbers and analysis; and

WHEREAS, David Salzberg will be fondly remembered and greatly missed by his wife, Bonnie; his daughter, Abigail; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of David Harold Salzberg, Ph.D., a highly admired member of the Vienna community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of David Harold Salzberg, Ph.D., as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 652**

*Commending Dulles Chapter 1241 of the National Active and Retired Federal Employees Association.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 50 years, Dulles Chapter 1241 of the National Active and Retired Federal Employees Association has supported federal employees in Northern Virginia by offering information and assistance with benefits programs and providing opportunities for community service and personal growth; and

WHEREAS, Dulles Chapter 1241 of the National Active and Retired Federal Employees Association (NARFE) held its first formal meeting in May 1972 and received its charter the following June; the chapter was established with nine charter members under its first president Bill Pegues; and

WHEREAS, in its early days, Dulles Chapter 1241 of NARFE met at several locations throughout Sterling, Herndon, and Leesburg; the chapter welcomed several distinguished members of the United States Congress as speakers and began publishing a newsletter to help members stay engaged and informed; and

WHEREAS, by the mid-1990s, Dulles Chapter 1241 of NARFE had grown to more than 300 members and conducted a survey on times and locations for meetings; in 1997, the chapter held a meeting at Amphora Diner Deluxe in Herndon, where it has proudly continued to host regular events until the COVID-19 pandemic; and

WHEREAS, Dulles Chapter 1241 of NARFE had nearly 800 members by 2005 and was recognized by the Virginia Federation of NARFE for increasing its membership by more than five percent in one year; the chapter subsequently welcomed members of the Leesburg Chapter after it closed in 2015; and

WHEREAS, Dulles Chapter 1241 of NARFE continues to host speakers covering a wide range of topics, including local, state, and federal government officials, as well as experts on travel, health care, insurance, taxation, law enforcement, and estate planning; it has also sponsored travel programs for its members to interesting locations throughout the United States and around the world; and

WHEREAS, Dulles Chapter 1241 of NARFE is an active participant in the Northern Virginia Caucus of NARFE Chapters, and several of its members have held leadership positions in the Virginia Federation of NARFE and the national organization; and

WHEREAS, the members of Dulles Chapter 1241 of NARFE have generously volunteered their time in support of local outreach activities like health fairs, food drives, and other community events, and the chapter has raised money for Alzheimer's research through various programs; now, therefore, be it

RESOLVED by the House of Delegates, That Dulles Chapter 1241 of the National Active and Retired Federal Employees Association hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dulles Chapter 1241 of the National Active and Retired Federal Employees Association as an expression of the House of Delegates' admiration for the organization's ongoing support for federal employees in Northern Virginia and contributions to the community as a whole.

**HOUSE RESOLUTION NO. 653**

*Commending Valley Health.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Valley Health, a 501(c)(3) nonprofit health system caring for a population of more than 500,000 in the Northern Shenandoah Valley, the Eastern Panhandle and Potomac Highlands of West Virginia, and western Maryland, has greatly served the community throughout the COVID-19 pandemic; and

WHEREAS, the Valley Health health system includes six hospitals and more than 60 medical practices and urgent care centers and provides outpatient rehabilitation and fitness, medical transport, long-term care, and home health services; and

WHEREAS, as a health care provider, employer, and community partner, Valley Health is committed to improving the health of the region it serves and recognizes the many ways its caregivers touch and enrich each and every life in its community; and

WHEREAS, over the last two years, Valley Health's more than 6,000 caregivers have demonstrated incredible courage, skill, and resourcefulness, sometimes at great personal sacrifice, in confronting the COVID-19 pandemic; and

WHEREAS, the resolve of Valley Health's staff to diagnose, treat, and prevent the transmission of this highly infectious disease, while continuing to address the health care needs of other patients, was vital to the health of the community; and

WHEREAS, Valley Health staff have educated, collaborated, innovated, and communicated to keep their patients, staff, families, and community safe during the pandemic, organizing drive-through testing sites, introducing new telehealth options, opening respiratory care clinics, creating system-wide protocols for best-practice inpatient and outpatient treatment, and distributing free test kits; and

WHEREAS, in collaboration with the Virginia Department of Health's Lord Fairfax Health District, Valley Health coordinated vaccination clinics in four communities, administering over 150,000 doses of the COVID-19 vaccine; and

WHEREAS, the Valley Health team continually learned and flexed in response to an ever-changing situation, persevering to provide care through a surge that saw a daily census of more than 180 hospitalized patients in January 2022; and

WHEREAS, the physicians, nurses, therapists, pharmacists, technicians, dietitians, behavioral health professionals, social workers, and other personnel who comprise the Valley Health team personify the organization's mission of "Serving Our Community by Improving Health"; now, therefore, be it

RESOLVED by the House of Delegates, That Valley Health, a nonprofit health system caring for patients in the Northern Shenandoah Valley, the Eastern Panhandle and Potomac Highlands of West Virginia, and western Maryland, hereby be commended for its service throughout the COVID-19 pandemic; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Valley Health as an expression of the House of Delegates' admiration for its staff and their contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 654

*Commending Lynn Morris.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Lynn Morris, a renowned banjoist and vocalist and cherished member of the Winchester community, was inducted into the International Bluegrass Music Association's Bluegrass Music Hall of Fame during an event at the Duke Energy Center for the Performing Arts in Raleigh, North Carolina, in 2021; and

WHEREAS, a native of Lamesa, Texas, Lynn Morris attended a performing arts boarding school in Colorado Springs, Colorado, in the late 1960s, where she studied classical guitar and cultivated an interest in folk music; and

WHEREAS, Lynn Morris discovered bluegrass music while earning a bachelor's degree in art at Colorado College, deciding then to dedicate herself to bluegrass music by learning to play the banjo; and

WHEREAS, after graduating from college in 1972, Lynn Morris settled in Denver and co-founded the City Limits Bluegrass Band, which would become a popular act in the Rocky Mountain region over the next several years; and

WHEREAS, Lynn Morris made history in 1974 as the first woman to win the National Bluegrass Banjo Championship at the Walnut Valley Festival in Winfield, Kansas, and in 1981 as the first person to win the contest twice; and

WHEREAS, Lynn Morris later decided to move east to be closer to the epicenter of bluegrass music, performing with the Pennsylvania-based group Whetstone Run until the group disbanded in 1986; and

WHEREAS, in 1988, Lynn Morris and her husband, Marshall Wilborn, formed the Lynn Morris Band, which would produce several critically acclaimed albums on the Nashville-based independent label Rounder Records between 1990 and 2003; and

WHEREAS, as a testament to her popularity at the height of her career, the International Bluegrass Music Association named Lynn Morris its Female Vocalist of the Year in 1996, 1998, and 1999 and named the title track from her solo album, "Mama's Hand," its Song of the Year in 1996; and

WHEREAS, Lynn Morris' legacy as a trailblazing banjoist, vocalist, and band leader has inspired musicians for many years while bringing great joy and happiness to bluegrass music fans the world over; now, therefore, be it

RESOLVED by the House of Delegates, That Lynn Morris hereby be commended for being named a 2021 inductee to the International Bluegrass Music Association's Bluegrass Music Hall of Fame; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Lynn Morris as an expression of the House of Delegates' admiration for her contributions to the rich history of bluegrass music in the Commonwealth.

### HOUSE RESOLUTION NO. 655

*Commending the staff members of Inova Loudoun Hospital.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the staff members of Inova Loudoun Hospital in Leesburg have greatly served the Loudoun County community by supporting the health and safety of their patients throughout the COVID-19 pandemic; and

WHEREAS, from the onset of the COVID-19 pandemic in March 2020, staff members at Inova Loudoun Hospital have consistently persevered through fatigue and risked their own well-being to provide exemplary care to their patients; and

WHEREAS, in December 2021 and January 2022, nearly two years into the pandemic, staff members at Inova Loudoun Hospital saw their highest number of COVID-19 cases as a result of the Omicron variant; and

WHEREAS, the Adult Observation Unit, led by Jessica Kelly and her team of 52 health care heroes, and the Adult Medical Unit, led by Debbie Toland and her team of 67 health care heroes, played an outsized role in Inova Loudoun Hospital's response to the Omicron surge by caring for a majority of the hospital's inpatient COVID-19 patients; and

WHEREAS, to accommodate for the rising number of patients, staff members at Inova Loudoun Hospital rapidly expanded capacity in both the Adult Observation Unit and Adult Medical Unit by converting private rooms to semi-private or double occupancy rooms; and

WHEREAS, staff members at Inova Loudoun Hospital continue to confront the challenges presented by the COVID-19 pandemic with an unwavering commitment to patient care and a willingness to do whatever they can in the interest of public health; and

WHEREAS, as an indication of the efforts of its staff members, Inova Loudoun Hospital was named a *U.S. News and World Report* Best Hospital for 2018-19 and has previously ranked among the top hospitals in the country for nursing excellence, emergency care services, and patient safety; and

WHEREAS, through resolute dedication and hard work, the staff members at Inova Loudoun Hospital have produced better health outcomes for an untold number of patients, inspiring Virginians across the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the staff members of Inova Loudoun Hospital hereby be commended for their brave and selfless service during the COVID-19 pandemic; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the staff members of Inova Loudoun Hospital as an expression of the House of Delegates' admiration for their contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 656

*Commending Harvue Farms.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Harvue Farms, a family-owned dairy farm in Berryville, was selected as the 2022 Producer of the Year by the Maryland & Virginia Milk Producers Cooperative Association; and

WHEREAS, Harvue Farms has been a member of the Maryland & Virginia Milk Producers Cooperative Association, a farmer-owned cooperative representing more than 900 family farms in 10 states, since the farm was established in 1950; and

WHEREAS, Harvue Farms is currently operated by third-generation and fourth-generation members of the Hardesty family, with day-to-day operations managed by David and Debbie Hardesty and their son and daughter-in-law Matt and Ashley Hardesty, as well as multiple full-time staff members; and

WHEREAS, Harvue Farms milks a herd of 260 registered Holsteins and grows corn, triticale, rye grass, and hay on more than 750 acres of land; the farm puts a high value on the health and wellness of their animals, and many live past their national average expected age due to the exceptional care provided by the Hardesty family; and

WHEREAS, Harvue Farms has advocated for other dairy producers and family farms at the local and state levels and maintains a strong partnership with the local 4-H, offering a leasing program for 4-H members unable to raise cows on their own property; and

WHEREAS, Harvue Farms continues to innovate and seek new ways to serve its customers; for the past two years, the farm has produced various cheeses that are sold to local stores, breweries, and wineries, as well as in farmers markets; and

WHEREAS, Harvue Farms earned the Producer of the Year award for its outstanding farm management, care for the environment, and contributions to the community; and

WHEREAS, Harvue Farms previously earned the Elite Breeders of the Year award from the Holstein Association USA, and Harvue Farms cows have won many accolades at shows across the country, including Supreme Champion awards at the World Dairy Expo in 2009 and 2010; and

WHEREAS, Harvue Farms received the Producer of the Year award at the Maryland & Virginia Milk Producers Cooperative Association's 2022 annual meeting, held at the Turf Valley Resort in Ellicott City, Maryland; now, therefore, be it

RESOLVED by the House of Delegates, That Harvue Farms hereby be commended for winning the Maryland & Virginia Milk Producers Cooperative Association Producer of the Year Award in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Harvue Farms as an expression of the House of Delegates' admiration for the farm's achievements and contributions to the community.

### HOUSE RESOLUTION NO. 657

*Commending Jerry Carter.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Jerry Carter, the longtime athletic director of Briar Woods High School in Ashburn, was inducted into the Virginia High School Hall of Fame with the Class of 2022; and

WHEREAS, Jerry Carter began working as a high school athletics coach in 1979 and subsequently served as athletic director of Liberty High School in Bealeton from 1994 to 2008; and

WHEREAS, Jerry Carter joined the administration of Briar Woods High School as athletic director in 2008 and served in that capacity until his retirement in 2021; he helped the school achieve 18 state championship victories during his distinguished tenure; and

WHEREAS, Jerry Carter was previously selected as the 2010 State Athletic Director of the Year by the Virginia Interscholastic Athletic Administrators Association, from which he also received the 2021 John C. Youngblood Lifetime Award of Merit; and

WHEREAS, Jerry Carter and the other members of the Class of 2022 were honored at the Virginia High School Hall of Fame's 33rd annual enshrinement dinner on April 24, 2022, in Charlottesville; now, therefore, be it

RESOLVED by the House of Delegates, That Jerry Carter hereby be commended on the occasion of his induction into the Virginia High School Hall of Fame with the Class of 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jerry Carter as an expression of the House of Delegates' admiration for his contributions to the Briar Woods High School community and legacy of achievements in high school athletics.

### HOUSE RESOLUTION NO. 658

*Commending Sandy Lerner.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Sandy Lerner, an accomplished entrepreneur, farmer, philanthropist, animal rights supporter, and conservation leader, has greatly served the Loudoun County community for more than 25 years; and

WHEREAS, Sandy Lerner earned a bachelor's degree from California State University and master's degrees from the former Claremont Graduate School and Stanford University before embarking on a successful career as an entrepreneur in the fields of technology, cosmetics, and music production; and

WHEREAS, in 1984, Sandy Lerner co-founded Cisco Systems, a global provider of computer networking hardware and software, and served as the company's director and executive vice president for several years; and

WHEREAS, in 1995, Sandy Lerner co-founded Sono Luminus studios in the restored 110-year-old Emmanuel Chapel Episcopal Church in Boyce and started an accompanying record label, which has since received two Grammy Awards and 20 Grammy Award nominations; and

WHEREAS, sensing the need for a broader color palette for women's cosmetics, Sandy Lerner founded the cosmetics company Urban Decay, which she grew for several years until the brand was sold in 2000 to Moët Hennessy Louis Vuitton; and

WHEREAS, as a resident of Loudoun County for more than 25 years, Sandy Lerner has given generously of her time and resources in support of various local nonprofit organizations, particularly in the areas of sustainable and humane farming, land conservation, and historic preservation; and

WHEREAS, Sandy Lerner has served myriad organizations in a volunteer leadership capacity, including as president of the Leonard X. Bosack and Bette M. Kruger Charitable Foundation and as director of what is now The Livestock Conservancy; and

WHEREAS, over the past two decades, Sandy Lerner has been at the forefront of agricultural innovation in the Commonwealth, building her farm, Ayrshire Farm, into an exemplar of sustainable, humane, and organic agricultural operations for meat, poultry, and crop production; and

WHEREAS, an early proponent of conservation easements, Sandy Lerner first restricted and protected Ayrshire Farm with an easement in 2004 and has to date preserved more than 2,000 acres in Loudoun County; and

WHEREAS, Sandy Lerner has also supported the local farm community by serving as a board member for and contributor to the Loudoun Heritage Farm Museum and The Livestock Conservancy and by ardently supporting the Loudoun County 4-H and Loudoun Farm Tours; and

WHEREAS, in recognition of her legacy of service, Sandy Lerner has received numerous accolades and awards over the years, including the 2016 Distinguished Alumnae Award from Claremont Graduate University and the 2012 Commonwealth Steward Award from the Old Dominion Land Conservancy; and

WHEREAS, Sandy Lerner's unwavering dedication to bringing her vision for Loudoun County to fruition has had a profound and lasting impact on the community that will be felt for generations to come; now, therefore, be it

RESOLVED by the House of Delegates, That Sandy Lerner hereby be commended for her extraordinary service to the Loudoun County community over more than 25 years; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sandy Lerner as an expression of the House of Delegates' admiration for her contributions to the Commonwealth.



**HOUSE RESOLUTION NO. 659**

*Commending Amy Schott.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Amy Schott, the principal of Henderson Elementary School in Prince William County, was selected the 2022 Principal of the Year by the *Washington Post*; and

WHEREAS, Amy Schott is a graduate of Texas Christian University, from which she earned a bachelor's degree in early childhood education; and

WHEREAS, Amy Schott received a master's degree from George Mason University and served at Rockledge Elementary School for 13 years before joining the administration of Henderson Elementary School; and

WHEREAS, Amy Schott strives to make every student feel safe and welcome at Henderson Elementary School and regularly researches best practices to enhance opportunities for students both in and out of the classroom; and

WHEREAS, Amy Schott builds strong, personal relationships with students and their families, ensuring that educational and developmental goals are met and students have a rewarding academic experience; and

WHEREAS, Amy Schott helps brighten the mornings of students, faculty, and staff members by playing inspirational music and reading supportive messages at the beginning of every school day, and she has become known by her colleagues as the school's "chief fun officer"; and

WHEREAS, during the COVID-19 pandemic, Amy Schott worked diligently to help students, faculty, and staff members adapt to remote and hybrid learning, as well as coordinate a return to in-person learning; now, therefore, be it

RESOLVED by the House of Delegates, That Amy Schott, principal of Henderson Elementary School, hereby be commended on the occasion of her selection as 2022 Principal of the Year by the *Washington Post*; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Amy Schott as an expression of the House of Delegates' admiration for her contributions to young people in Prince William County.

**HOUSE RESOLUTION NO. 660**

*Celebrating the life of L. Wayne Kirby.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, L. Wayne Kirby, a hardworking farmer in Hanover County who made many contributions to the Commonwealth's agriculture sector, died on April 4, 2022; and

WHEREAS, Wayne Kirby operated Creamfield Farm with his son, Grayson; the farm earned many awards and accolades under their leadership, including the James River Soil and Water Conservation District's 2020 Clean Water Farm Award and the first place award in the 2020 National Yield Contest; and

WHEREAS, Wayne Kirby had served as director of the Virginia Corn Check Off Board and the Virginia Corn Producers Board, was a former president of the Virginia Grain Producers Association, and was a member of the Alliance Agronomics Board, the Hanover County Farm Service Agency Board, the Virginia Department of Agriculture and Consumer Services Board, and the Virginia Agribusiness Council; and

WHEREAS, Wayne Kirby offered his wise leadership to the Colonial Farm Credit Board of Directors as a longtime member and a former chair and served on the governance and legislative committees; in addition, he was a director on the board of the Colonial Agricultural Educational Foundation, which provides scholarships to local students; and

WHEREAS, Wayne Kirby further supported his fellow farmers as a member of the nominating committee of AgFirst Farm Credit Bank; he was well known for his generosity and devotion to ensuring the success of others; and

WHEREAS, Wayne Kirby strove to make the world a better place by enriching his community and supporting family members and friends in every endeavor; and

WHEREAS, outside of his career, Wayne Kirby was a generous volunteer and a longtime member and president of the Studley Ruritan Club; he proudly coached his sons' soccer teams when they were young; and

WHEREAS, a man of deep faith, Wayne Kirby enjoyed fellowship and worship with the community at Mechanicsville Church of Christ, where he served as an elder; and

WHEREAS, Wayne Kirby will be fondly remembered and greatly missed by his beloved wife, Karen; his sons, Grayson and Graham, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of L. Wayne Kirby, a respected member of the Hanover County community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of L. Wayne Kirby as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 661**

*Celebrating the life of Keri Lynn Burkholder Marston.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Keri Lynn Burkholder Marston, an accomplished communications executive with the United Methodist Church and a beloved member of the Mechanicsville community, died on April 22, 2022; and

WHEREAS, after graduating from Fuqua School in Farmville, Keri Marston earned a bachelor's degree with honors in communication studies with a focus in public relations from James Madison University; and

WHEREAS, Keri Marston applied her education and expertise in communications in support of various United Methodist churches and was most recently employed at Shady Grove United Methodist Church in Mechanicsville as its director of communications; and

WHEREAS, through her work with the United Methodist Church, Keri Marston encouraged others to go into their communities and find ways to care for and assist those in need; and

WHEREAS, with a deep commitment to supporting faith communities throughout the Commonwealth, Keri Marston served the Virginia United Methodist Conference as both a member and president of its Board of Communications; and

WHEREAS, Keri Marston's pleasant and friendly nature brightened the lives of all who knew her, and her devotion to her faith was an inspiration to many; and

WHEREAS, Keri Marston's greatest joy in life was spending quality time with her family, and she reveled in playing with her girls and watching their imagination and creativity flourish; and

WHEREAS, Keri Marston will be fondly remembered and dearly missed by her loving husband, Chris; her daughters, Rebecca and Rachael; her parents, Gerry and Barry; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Keri Lynn Burkholder Marston, a cherished member of the Mechanicsville community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Keri Lynn Burkholder Marston as an expression of the House of Delegates' respect for her memory.

**HOUSE RESOLUTION NO. 662**

*Commending Justine Klena.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Justine Klena, esteemed principal of Herndon Middle School who has greatly served Fairfax County Public Schools for more than three decades, will retire in June 2022; and

WHEREAS, in preparation for her career as an educator and education administrator, Justine Klena earned a bachelor's degree in history from Georgetown University and master's degrees in special education and educational leadership from George Mason University and completed a teacher certification program at the University of North Carolina at Chapel Hill; and

WHEREAS, Justine Klena joined Fairfax County Public Schools (FCPS) in 1990 as an instructional aide, later becoming a special education teacher at Luther Jackson Middle School and special education department chair at Longfellow Middle School; and

WHEREAS, after years as an educator, Justine Klena pursued a career as an education administrator, serving as assistant principal at Cooper Middle School and Herndon Middle School with FCPS and for some time with Richmond Public Schools before ultimately becoming principal at Herndon Middle School in 2008; and

WHEREAS, over the past 14 years, Justine Klena has led various project-based learning and curriculum development initiatives to engage and motivate students and to enhance their overall educational experience; and

WHEREAS, Justine Klena has drawn from her years as a special education teacher to become a lead advocate within FCPS for special education reform and for promoting inclusion and equitability in the classroom; and

WHEREAS, Justine Klena has fostered a learning environment at Herndon Middle School built on collaboration and trust, ensuring her students are able to succeed academically, socially, and emotionally and that her staff have the support they need to make a difference in young peoples' lives; and

WHEREAS, Justine Klena's efforts on behalf of the families of Herndon Middle School go beyond the classroom as she has spearheaded various programs that provide resources and assistance to those facing poverty or other traumas; and

WHEREAS, in recognition of her extraordinary and transformative impact on the community and culture of Herndon Middle School, Justine Klena was honored as the FCPS Outstanding Principal of the Year in 2016; and

WHEREAS, a visionary and empathetic leader who has been unwavering in her commitment to her students and teachers, Justine Klena embodies the highest virtues of the education profession and is an inspiration to all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Justine Klena, principal of Herndon Middle School, hereby be commended on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Justine Klena as an expression of the House of Delegates' admiration for her contributions to the Commonwealth and best wishes for a happy and fulfilling retirement.

### HOUSE RESOLUTION NO. 663

*Commending the Rescue Mission of Roanoke.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Rescue Mission of Roanoke, a multi-faceted organization dedicated to addressing homelessness in the Roanoke Valley, commemorated its 70th anniversary in 2022; and

WHEREAS, the origins of the Rescue Mission of Roanoke date to August 3, 1942, when future founder Gus Johnson underwent a life-changing experience at the Chicago United Mission; and

WHEREAS, in July 1948, Gus Johnson and his wife, Lois, opened the Rescue Mission of Roanoke on 111 East Salem Avenue, providing shelter and meals to men in the community in need; and

WHEREAS, two years later, the board of the Rescue Mission of Roanoke was formed and the organization was officially incorporated; then shortly thereafter, the organization began accepting women and operating a children's ministry; and

WHEREAS, after a period of growth and transition, the Rescue Mission of Roanoke settled in its current facility at the intersection of 4th Street and Tazewell Avenue, where it has tended to countless men, women, and children ever since; and

WHEREAS, the Rescue Mission of Roanoke runs its emergency shelter 365 days a year, implementing a system that aims to maximize the potential of each guest by identifying services that will be most useful to them; and

WHEREAS, with the support of more than 70 corporate food donors and various churches, organizations, and individuals, the Rescue Mission of Roanoke serves an average of 600 meals per day, including breakfast, lunch, and dinner for all shelter guests and hospitality meals for members of the public at lunch and dinner; and

WHEREAS, the Rescue Mission Foundation was established in 1991 to create an endowment fund for the Rescue Mission of Roanoke, enabling the organization to broaden its services and increase its impact in the community; and

WHEREAS, since 1994, the Way Forward Residential Recovery Program at the Rescue Mission of Roanoke has helped men and women overcome their addictions to drugs and alcohol through coaching, spiritual guidance, and education; and

WHEREAS, the Rescue Mission of Roanoke opened the G. Wayne Fralin Free Clinic for the Homeless in 2010 to provide primary and preventative care, behavioral health services, medication assistance, dental and vision care, vaccinations, and more to individuals experiencing homelessness or transitioning into permanent housing; and

WHEREAS, in December 2016, Joy Sylvester-Johnson, daughter of Gus and Lois Johnson, retired after 31 years of service to the Rescue Mission of Roanoke, marking the first time in the organization's history that it was not led by a member of the Johnson family; and

WHEREAS, through the tireless efforts of its volunteers and staff and the comprehensive nature of its programs, the Rescue Mission of Roanoke empowers many in the Roanoke Valley community to escape homelessness and achieve independence in their lives; now, therefore, be it

RESOLVED by the House of Delegates, That the Rescue Mission of Roanoke hereby be commended on the occasion of its 70th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to C. Lee Clark, chief executive officer of the Rescue Mission of Roanoke, as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 664

*Commending Kristi Martin.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Kristi Martin, a fourth grade teacher at Westside Elementary School in Roanoke, was named Teacher of the Year by Roanoke City Public Schools on April 28, 2022; and

WHEREAS, Kristi Martin was selected from among 28 school finalists by a committee of Roanoke City Public Schools (RCPS) representatives, including employees, retirees, and the 2021 Teacher of the Year awardee; and

WHEREAS, Kristi Martin was recognized by RCPS for demonstrating an extraordinary commitment to the well-being of her students both in and out of the classroom and for exemplifying the virtues of servant leadership; and

WHEREAS, prior to joining RCPS, Kristi Martin graduated from the University of Virginia and worked for Sylvan Learning and HoneyTree Early Learning Centers in Roanoke, acquiring experience that would inform her approach to elementary school education; and

WHEREAS, Kristi Martin has taught at Westside Elementary School with great joy and enthusiasm for 13 years, making a positive and transformative impact on the school's culture and its community in that time; and

WHEREAS, Kristi Martin has provided valuable guidance to her fellow educators at Westside Elementary School in her capacities as fourth grade team leader, member of the School Improvement Team Committee, and mentor to new teachers and student-teachers; and

WHEREAS, Kristi Martin's role as a leader both at her school and across the division was on display as her classroom was used to showcase the new RCPS reading curriculum, "Wit and Wisdom," for the benefit of RCPS teachers, a neighboring school division, and professors from Radford University; and

WHEREAS, Kristi Martin remains steadfastly dedicated to meeting the needs of her students so that they may succeed both in the classroom and in life, earning the respect and esteem of Virginians across the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That Kristi Martin hereby be commended for being named the 2022 Roanoke City Public Schools Teacher of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kristi Martin as an expression of the House of Delegates' admiration for her contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 665

*Commending Mount Regis Center.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Mount Regis Center, a leading addiction treatment services provider that has been a lifeline to many in the Salem community, is celebrating its 75th anniversary in 2022; and

WHEREAS, the Mount Regis Center, formerly known as White Cross Hospital, opened in April 1947 under the guidance of medical director Dr. H. N. Alford, whose innovative and effective treatments for individuals recovering from alcoholism drew patients from as far as Cincinnati, Ohio, and Tennessee; and

WHEREAS, for many years, Mount Regis Center was led by Dr. Robert Edward Paine, Jr., who prompted White Cross Hospital to expand its services to drug addiction treatment in the 1960s and who served as medical director in the 1980s; Dr. Mukesh P. Patel, a psychiatrist and board-certified addictionologist, has helmed the organization since 1985; and

WHEREAS, today, Mount Regis Center provides a full continuum of care to adult individuals seeking rehabilitation from substance abuse and certain co-occurring mental health disorders, including inpatient detox and residential treatment programs; and

WHEREAS, Mount Regis Center provides its patients with a comprehensive treatment experience, applying an evidence-based approach that employs various therapeutic interventions, including cognitive behavioral therapy and rational emotive therapy; and

WHEREAS, Mount Regis Center employs a diverse array of health care professionals to meet the myriad needs of its patients, including a medical director, physician assistants, psychiatrists, clinical psychologists, certified substance abuse counselors, licensed professional counselors, family therapists, registered nurses, and recreational therapists; and

WHEREAS, the staff at Mount Regis Center work closely with patients to identify and address the underlying emotional and behavioral issues that contribute to their addiction, helping them on their path to long-term recovery; and

WHEREAS, the staff at Mount Regis Center consistently strive to better understand their patients so they may provide them with a more individualized and effective treatment program; and

WHEREAS, the accomplishments of Mount Regis Center are a testament to the dedication of the staff, who uphold the highest standards of compassion and clinical excellence in service to their patients; now, therefore, be it

RESOLVED by the House of Delegates, That Mount Regis Center hereby be commended on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Mount Regis Center as an expression of the House of Delegates' admiration for the organization's history and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 667

*Commending the Delta Zeta Chapter of Phi Beta Sigma Fraternity, Inc.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 50 years, the Delta Zeta Chapter of Phi Beta Sigma Fraternity, Inc., has provided leadership opportunities to young men at Norfolk State University and enriched community life in Hampton Roads through generous outreach programs; and

WHEREAS, the Delta Zeta Chapter of Phi Beta Sigma was established in 1972 and has empowered generations of members to achieve their fullest potential in and out of the classroom; and

WHEREAS, members of the Delta Zeta Chapter of Phi Beta Sigma have held numerous leadership positions at Norfolk State University, and several have been student government presidents; members have also raised thousands of dollars for scholarships and supported their fellow students through initiatives to promote financial literacy and healthy life choices; and

WHEREAS, members of the Delta Zeta Chapter of Phi Beta Sigma volunteer with a wide range of charitable organizations and have helped to enhance the quality of life for the residents of Hampton Roads through their generosity and commitment to servant leadership; and

WHEREAS, alumni of the Delta Zeta Chapter of Phi Beta Sigma have achieved success as doctors, health care practitioners, educators, journalists, members of the United States Armed Forces, public safety officers, engineers, and clergy, among many other professions and callings; and

WHEREAS, alumni of the Delta Zeta Chapter of Phi Beta Sigma have also gone to become the Virginia state director, eastern regional director, and an international president of Phi Beta Sigma; now, therefore, be it

RESOLVED by the House of Delegates, That Delta Zeta Chapter of Phi Beta Sigma Fraternity, Inc., hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Delta Zeta Chapter of Phi Beta Sigma Fraternity, Inc., as an expression of the House of Delegates' admiration for the organization's contributions to the students of Norfolk State University and the Hampton Roads community.

### HOUSE RESOLUTION NO. 668

*Commending the Filipino Veterans Recognition and Education Project.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Filipino Veterans Recognition and Education Project is an organization that has honored and brought greater awareness to the bravery and sacrifice of the more than 260,000 Filipinos and Filipino-Americans who served with the United States Armed Forces during World War II; and

WHEREAS, although Filipino and Filipino-American veterans were essential to the Allied Forces' victory in the Pacific Theater during World War II, the Rescission Act of 1946 caused more than 200,000 of them to lose their status as U.S. nationals and compensation for their service; and

WHEREAS, to address this injustice, the Filipino Veterans Recognition and Education Project (FilVetREP) was formed in May 2013 to obtain official national recognition of Filipino and Filipino-American veterans and to promote knowledge and understanding of their wartime service; and

WHEREAS, as a result of the tireless efforts of FilVetREP members and the generous support of their partners and sponsors, the Filipino Veterans of World War II Congressional Gold Medal Act of 2015 was passed by both houses of Congress and later signed into law by President Barack H. Obama II on December 14, 2016; and

WHEREAS, since Speaker of the House of Representatives Paul Ryan awarded the Congressional Gold Medal to more than 600 veterans and families at Emancipation Hall in the United States Capitol on October 25, 2017, FilVetREP has held its own ceremonies to individually honor living veterans or their next of kin, remaining steadfast in its attempts to reach each one of the 10,000 veterans who are still unrecognized; and

WHEREAS, FilVetREP has pursued its goal to promote awareness by developing an interactive online educational program that presents and preserves the historic legacy of Filipino and Filipino-American World War II veterans; and

WHEREAS, FilVetREP recently launched the first phase of its education program, sharing remarkable stories and facts sourced from living veterans, their families, and historical accounts and artifacts at the National Archives and Records Administration and the Library of Congress; and

WHEREAS, FilVetREP co-sponsored and participated in the Bataan Memorial Death March on April 2, 2022, in Alexandria, one of several such marches across the country, to commemorate the 80th anniversary of the Bataan Death March and to foster greater understanding of this tragic event; now, therefore, be it

RESOLVED by the House of Delegates, That the Filipino Veterans Recognition and Education Project hereby be commended for ensuring that Filipinos and Filipino-Americans who fought with the United States Armed Forces during World War II receive the honor and respect they are due; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Major General Antonio M. Taguba, USA, Ret., chairman of the Filipino Veterans Recognition and Education Project, as an expression of the House of Delegates' admiration for the organization's mission and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 669

*Commending South County Middle School.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, in 2022, South County Middle School celebrates its 10th anniversary of providing an outstanding education to young people in Lorton; and

WHEREAS, South County Middle School was previously part of South County Secondary School, which served students in grades seven through 11 from Lorton, Fairfax Station, and part of Springfield between 2005 and 2012; and

WHEREAS, South County Secondary School quickly outgrew its capacity, and Fairfax County developed plans to build a new middle school on nearby land that had formerly served as a cornfield for Occoquan Workhouse minimum security prison and the site of a Cold War anti-aircraft missile battery; and

WHEREAS, South County Middle School opened on September 4, 2012, with Marsha Manning as its first principal; the school was founded with a mission to produce "Capable, Connected, and Contributing" citizens who were well-prepared to meet the challenges of a global society; and

WHEREAS, South County Middle School chose the Mustang as its school mascot and regatta blue, apple green, and maroon as its school colors; and

WHEREAS, South County Middle School opened with 1,053 students in seventh and eighth grades supported by 101 faculty, administrators, and staff; the initial enrollment was composed of students from Halley Elementary School, Laurel Hill Elementary School, Newington Forest Elementary School, Silverbrook Elementary School, Gunston Elementary School, and Lorton Station Elementary School; and

WHEREAS, South County Middle School has maintained an academically rigorous curriculum and a positive, supportive learning environment; the school offers an array of specialized services for students, including the Advanced Academics Level IV Center Program, an honors program, a special education program, and numerous electives in the arts, career and technical education, and world languages; and

WHEREAS, South County Middle School has adapted to changes in teaching methods and technology to support modern learning; each student receives a laptop with access to dynamic resources and tools tailored to each student's unique learning needs; and

WHEREAS, South County Middle School's Parent-Teacher-Student Organization and the entire school community continue to work in partnership to facilitate student success and high achievement in and out of the classroom; and

WHEREAS, under the leadership of current principal Peter Kownacki, the South County Middle School Mustangs are committed to demonstrate the character traits of Honesty, Ownership, Respect, Service, and Effort (HORSE); now, therefore, be it

RESOLVED by the House of Delegates, That South County Middle School hereby be commended on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to South County Middle School as an expression of the House of Delegates' admiration for its achievements in service to young people in Lorton.

### HOUSE RESOLUTION NO. 670

*Commending Jordan Markwood.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Jordan Markwood, choral director and fine arts department chair at Rock Ridge High School in Loudoun County, was named Teacher of the Year by *The Washington Post* in 2022; and

WHEREAS, in preparation for his career as an educator, Jordan Markwood earned a bachelor's degree in music from Houghton College and a master's degree in vocal pedagogy and performance from Westminster Choir College of Rider University; and

WHEREAS, Jordan Markwood has served as choral director at Rock Ridge High School for the past eight years, where he has contributed greatly to the success of his students both in and out of the classroom; and

WHEREAS, Jordan Markwood showed special care and concern for the well-being of his students by canceling their fall concert in favor of building community and helping them acclimate to in-person schooling; and

WHEREAS, Jordan Markwood has displayed extraordinary dedication to his students by ensuring that they are able to continue to include the arts in their academic pursuits; and

WHEREAS, Jordan Markwood was chosen for *The Washington Post* Teacher of the Year Award from among 18 finalists across the Washington, D.C., metropolitan area; and

WHEREAS, through his tireless efforts and unwavering devotion to his students, Jordan Markwood has made a meaningful impact on the Rock Ridge High School community; now, therefore, be it

RESOLVED by the House of Delegates, That Jordan Markwood hereby be commended for receiving the 2022 *The Washington Post* Teacher of the Year Award; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jordan Markwood as an expression of the House of Delegates' admiration for his accomplishments and best wishes for his future endeavors.

**HOUSE RESOLUTION NO. 671**

*Commending the Westmoreland Volunteer Fire Department Auxiliary.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for more than 50 years, the Westmoreland Volunteer Fire Department Auxiliary has supported the Westmoreland Volunteer Fire Department, ensuring that the department is able to fulfill its mission to serve and safeguard members of the public; and

WHEREAS, the Westmoreland Fire Department Auxiliary was established in 1971 by Debbie Bowen, Ann Davis, Violet Hinson, Barbara Hundley, Frances Packett, Brenda Reamy, Jane Kaye Sisson, Margaret Stosch, Pearl Sydnor, and Betty Trader, all of whom were wives of department members; and

WHEREAS, throughout its history, the Westmoreland Fire Department Auxiliary raised funds for the department in a variety of ways, including selling crafts and hosting dinners; and

WHEREAS, beginning in 1977, the Westmoreland Fire Department Auxiliary hosted a popular bingo night that raised substantial funds and directly supported the acquisition of new fire apparatuses and equipment as well as the construction of a large multipurpose room now used for training classes; and

WHEREAS, the Westmoreland Fire Department Auxiliary continued to provide valuable assistance with operations after the fire department began managing bingo nights directly in 1997; and

WHEREAS, the Westmoreland Fire Department Auxiliary sponsors the Spirit Tree Lighting at the annual Spirit Festival Weekend in Montross, a beloved local tradition that honors the memory of community members' friends and loved ones; and

WHEREAS, the Westmoreland Fire Department Auxiliary has also delighted generations of local children through an Easter event at the fire department, featuring an egg hunt, fire truck rides, and a visit from the Easter bunny; now, therefore, be it

RESOLVED by the House of Delegates, That the Westmoreland Volunteer Fire Department Auxiliary hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Westmoreland Volunteer Fire Department Auxiliary as an expression of the House of Delegates' admiration for the organization's achievements in service to the members of the Westmoreland Volunteer Fire Department and the Westmoreland County community as a whole.

**HOUSE RESOLUTION NO. 672**

*Commending Kathleen Willoughby.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Kathleen Willoughby, a special education teacher at Kettle Run High School in Nokesville, was named Teacher of the Year by the Fauquier County School Board in 2022; and

WHEREAS, Kathleen "Kasey" Willoughby was recognized with the award at a meeting of the Fauquier County School Board on April 7, 2022, which makes her the school division's representative in the 2022 Teacher of the Year competition held by *The Washington Post*; and

WHEREAS, Kasey Willoughby brings joy and energy to her classroom each and every day in a myriad of ways, brightening the lives of her students and colleagues and contributing to their success both in and out of the classroom; and

WHEREAS, Kasey Willoughby works with three other teachers in the special education program STAND, or See Talents and Abilities not Disabilities, which has empowered an untold number of young people to be more active and involved in their communities; and

WHEREAS, Kasey Willoughby also spearheaded the establishment of a Unified Sports program, which provides greater opportunities for students with special needs to participate in sports and other activities; and

WHEREAS, through steadfast dedication to her students and an unwavering commitment to promoting inclusion at Kettle Run High School, Kasey Willoughby has made a positive and lasting impact on the Fauquier County community; now, therefore, be it

RESOLVED by the House of Delegates, That Kathleen Willoughby, a special education teacher at Kettle Run High School, hereby be commended for being named the 2022 Fauquier County Public Schools Teacher of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kathleen Willoughby as an expression of the House of Delegates' admiration for her contributions to the Commonwealth and best wishes in her future endeavors.

**HOUSE RESOLUTION NO. 673**

*Commending Shenandoah Caverns.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 100 years, Shenandoah Caverns has delighted residents of and visitors to the Commonwealth through its engaging tours of distinctive natural rock formations and other family-friendly activities; and

WHEREAS, Shenandoah Caverns traces its origins to the 1880s, when local resident Abraham Neff allowed a railroad company to dig a rock quarry on his property; his sons later discovered a deep hole while exploring the quarry and climbed down about 275 feet to reach the caverns; and

WHEREAS, the Neff family subsequently sold the property to Hunter Chapman of Woodstock, who saw the potential for the caverns as a tourist attraction, and Shenandoah Caverns officially opened in May 1922; and

WHEREAS, Shenandoah Caverns features breathtaking rock formations, including examples of flowstone deposits along cavern walls that resemble bacon strips, and a natural grand hall near the entrance of the cavern that is about 190 feet long; and

WHEREAS, while minute alterations in rock formations and colorings have developed over the years, major geological changes can take millennia, and entering Shenandoah Caverns can feel like stepping back in time for repeat visitors; and

WHEREAS, generations of Virginians have toured Shenandoah Caverns as children and later returned to share the experience with friends, family members, spouses, and children of their own; the caverns have also hosted movie stars, celebrities, and a former vice president over the course of its vibrant history; and

WHEREAS, Shenandoah Caverns commemorated its 100th anniversary on May 21, 2022, with a day of special events culminating in a grand fireworks display, and additional events are planned to take place throughout the summer; now, therefore, be it

RESOLVED by the House of Delegates, That Shenandoah Caverns hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Shenandoah Caverns as an expression of the House of Delegates' admiration for the destination's economic and cultural contributions to the region and the Commonwealth.

**HOUSE RESOLUTION NO. 674**

*Commending the Town of Orange.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Town of Orange, a vibrant and growing community in the north-central Virginia Piedmont region, celebrates the 150th anniversary of its incorporation as a town in 2022; and

WHEREAS, Orange traces its history to 1749, when Orange County was formed from part of Culpeper County; for several years, the county court convened in the house of Timothy Crosthwait, who later deeded two acres of land for the construction of a new courthouse; and

WHEREAS, by the mid-1750s, Orange consisted of the county courthouse and related public buildings, as well as a tavern and a few houses and stores; and

WHEREAS, in 1796, the first United States Post Office in Orange was constructed, and in 1799, Paul Verdier purchased the property of William Bell and divided the land into lots, shaping the growth of the community around what is now near Bellevue and Peliso Avenues; and

WHEREAS, in the early 1800s, the Orange County courthouse building was replaced with a more modern structure with a clerk's office and a jail; the community had become a bustling regional center by 1834, when the General Assembly considered an act to incorporate the Town of Orange Court House, which was ultimately unsuccessful; and

WHEREAS, during this period, several historically significant sites were erected, including the Sparks Building, the Holladay House, and the St. Thomas Episcopal Church, all of which are now part of the Orange Commercial Historic District; and

WHEREAS, in 1847, the Orange and Alexandria Railroad chose to route a new railway from Alexandria to Gordonsville through Orange, requiring the courthouse to be moved to a new location; and

WHEREAS, the fourth and current courthouse, a striking example of the Italian Villa architectural style, was completed in 1859 and was added to the National Register of Historic Places in 1979; and

WHEREAS, while the General Assembly passed acts of incorporation for the Town of Orange in 1855, the incorporation did not take effect until after a vote of consent by local citizens in 1872; and

WHEREAS, today, Orange remains the county seat of Orange County and has continued to thrive as an outstanding place to live, work, and raise a family in the Virginia Piedmont region; and

WHEREAS, with convenient access to several major cities, consumer markets, airports, ports, and institutions of higher education, Orange is a prime strategic location to start or expand a business; and



WHEREAS, in addition to its many historic buildings, Orange has easy access to James Madison's Montpelier and numerous Civil War battle sites and offers stunning views of the nearby Blue Ridge Mountains, as well as plentiful opportunities for outdoor recreation; and

WHEREAS, residents of Orange have made countless contributions to the region and the Commonwealth in a wide variety of fields and professions, and the town is poised to continue serving as an economic and cultural hub in the region; now, therefore, be it

RESOLVED by the House of Delegates, That the Town of Orange hereby be commended on the occasion of the 150th anniversary of its incorporation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Town of Orange as an expression of the House of Delegates' admiration for the community's rich history and contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 675

*Celebrating the life of Linda S. Timmons.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Linda S. Timmons of Unionville, who served the 16th Judicial Circuit of Virginia for more than three decades and became the first woman clerk of the Orange County Circuit Court, died on April 8, 2022; and

WHEREAS, Linda Timmons graduated from Orange County High School and continued her education at Mary Washington University; and

WHEREAS, Linda Timmons joined the Office of the Clerk of the Orange County Circuit Court in 1976 and served the court in several capacities, including as chief deputy clerk; and

WHEREAS, Linda Timmons was elected as clerk of the Orange County Circuit Court in 1997 and held the office until 2009, becoming a trusted source of institutional knowledge and building a legacy of excellence in service to the community; and

WHEREAS, Linda Timmons was highly respected by her professional peers and served as secretary and president of the Virginia Court Clerks' Association; and

WHEREAS, Linda Timmons enjoyed fellowship and worship with the congregation of Rhoadesville Baptist Church, where she served as clerk for many years; she was also a deacon, a Sunday school teacher, and a member of the choir; and

WHEREAS, Linda Timmons will be fondly remembered and greatly missed by her husband, Howard; her daughter, Wendy, and her family; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Linda S. Timmons, a highly admired public servant in Orange County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Linda S. Timmons as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 676

*Commending Nicole Satchell.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Nicole Satchell, a respected educator at Henrico High School, was selected as the 2021-2022 Henrico County Public Schools Teacher of the Year; and

WHEREAS, Nicole Satchell cultivated a love of history at a young age and was inspired to provide a positive role model for students and share her love of lifelong learning; and

WHEREAS, a graduate of the University of Delaware, Nicole Satchell relocated to Virginia and joined the faculty of Henrico High School in 2007; she currently serves as a social studies teacher and co-chair of the social studies department; and

WHEREAS, Nicole Satchell strives to build a safe, supportive classroom environment where students feel that their needs and concerns are understood, and she was previously selected as a member of the Virginia Department of Education's Social Science Enhanced Curriculum Course Map Committee; and

WHEREAS, Nicole Satchell has fostered strong relationships with students outside the classroom as a sponsor of Henrico High School's Student Advisory Council, Equity Ambassadors, and Black Student Union; now, therefore, be it

RESOLVED by the House of Delegates, That Nicole Satchell, the 2021–2022 Henrico County Public Schools Teacher of the Year, hereby be commended for her outstanding achievements as an educator; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Nicole Satchell as an expression of the House of Delegates' admiration for her devoted service to young people in Henrico County.

**HOUSE RESOLUTION NO. 677**

*Commending Robert Hahne.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Robert Hahne, a longtime member of the Rotary Club of McLean and a devoted community volunteer, has worked diligently for many years to enhance the quality of life for all of his fellow residents of McLean; and

WHEREAS, Robert Hahne joined the Rotary Club of McLean in 2002 and has held numerous leadership positions in the organization, including president; he also served as assistant district governor for Rotary District 7610; and

WHEREAS, during his long tenure with the Rotary Club of McLean, Robert Hahne helped raise more than \$10,000 to support Clemyjontri Park, a playground for children with disabilities, and obtained a \$20,000 matching grant from Rotary International to support Partner for Surgery, a nonprofit health care provider for Mayan people in Guatemala; and

WHEREAS, in 2010, Robert Hahne and his late wife, Barbara, began coordinating the annual Stop Hunger Now event, which provides food and other necessities to people in need around the world; and

WHEREAS, Robert Hahne's passion and enthusiasm for Stop Hunger Now has inspired generations of fellow Rotarians and hundreds of volunteers; through his exceptional leadership, the program has collected and packaged millions of meals over the years; and

WHEREAS, in 2014, Robert Hahne was selected as the District Rotarian of the Year in recognition of his tireless contributions to Rotary International and the McLean community; and

WHEREAS, in addition to his work with the Rotary Club of McLean, Robert Hahne volunteered his leadership to the board of Chain Bridge Bank and the President's Council at his alma mater, Central Methodist University; and

WHEREAS, Robert Hahne is an active member of Lutheran Church of the Redeemer, McLean, where he has served as a Sunday school teacher and held office as a church council member, president, and a building committee member; and

WHEREAS, Robert Hahne has also served and inspired young people as the president of the McLean Little League and as a manager of youth baseball teams for more than 30 years; now, therefore, be it

RESOLVED by the House of Delegates, That Robert Hahne, a pillar of the McLean community, hereby be commended for his lifetime of volunteer service and leadership; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Robert Hahne as an expression of the House of Delegates' admiration for his legacy of contributions to the residents of McLean.

**HOUSE RESOLUTION NO. 678**

*Commending Bernard Hairston.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Bernard Hairston, a champion for equity in education, will retire in 2022 as the assistant superintendent for school community empowerment of Albemarle County Public Schools, after a distinguished 40-year career as an educator and administrator; and

WHEREAS, a graduate of Norfolk State University, Bernard Hairston earned a master's degree from Virginia State University (VSU) through a grant from the National Aeronautics and Space Administration; he went on to develop curriculum resources integrating space technology and industrial arts programming for VSU and the Virginia Department of Education; and

WHEREAS, Bernard Hairston earned a doctorate from Virginia Polytechnic Institute and State University while working as an academic advisor and financial aid administrator; he subsequently served as a public school administrator in Roanoke and Spotsylvania County and was an adjunct professor at Piedmont Virginia Community College; and

WHEREAS, Bernard Hairston joined Albemarle County Public Schools in 1992 as the associate principal of Western Albemarle High School; and

WHEREAS, in 2018, Bernard Hairston was appointed as the assistant superintendent for school community empowerment, in which capacity he developed innovative programs to enhance equity in and out of the classroom and support high levels of student achievement; and

WHEREAS, Bernard Hairston oversaw the implementation of the school division's first formal bullying prevention program; the award-winning M-Cubed program, which helped Black middle school students succeed in advanced math classes; and a partnership with the African American Teaching Fellows, which increased the number of Black teachers in the division; and

WHEREAS, Bernard Hairston also worked closely with students to develop an anti-racism policy, and Albemarle County Public Schools became one of the first school divisions in the Commonwealth to implement such a policy; and

WHEREAS, Bernard Hairston's culturally responsive teaching program lifted test scores for students in all demographics and earned recognition at the state level; and

WHEREAS, Bernard Hairston has presented his concepts of culturally responsive teaching to stakeholders around the country, providing strategies and techniques to ensure that individual students' learning needs are understood and met; and

WHEREAS, outside of his career in education, Bernard Hairston is the founding president of 100 Black Men of Central Virginia, which under his leadership has distributed more than \$160,000 in scholarships to local students and has twice been recognized by the national organization as chapter of the year; now, therefore, be it

RESOLVED by the House of Delegates, That Bernard Hairston hereby be commended on the occasion of his retirement as the assistant superintendent for school community empowerment of Albemarle County Public Schools; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bernard Hairston as an expression of the House of Delegates' admiration for his achievements in service to young people in Albemarle County.

### HOUSE RESOLUTION NO. 679

*Commending Pembroke High School.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Pembroke High School, a former public secondary school in Hampton, ably served young people in the area for many years; and

WHEREAS, Pembroke High School traces its roots to 1940, when Hampton Institute leased a building to Elizabeth City County Public Schools for the purpose of creating a new school for Black children; and

WHEREAS, the school became part of Hampton City Schools when Elizabeth City County was dissolved, and after the landmark ruling in *Brown v. Board of Education* in 1954, Black residents urged the city to build a new Black high school; and

WHEREAS, negotiations stalled until Hampton Institute refused to allow the Hampton School Board to renew the lease on the building, and plans were made to build a new school building on LaSalle Avenue to be named George P. Phenix High School; and

WHEREAS, George P. Phenix High School opened in 1962 and continued to serve a predominately Black student body until the Hampton School Board ordered the full integration of all city schools in 1967; and

WHEREAS, George P. Phenix High School was renamed Pembroke High School after the district where it was located; the school served many local young people, including children of service members at the nearby Fort Monroe and Langley Air Force Base; and

WHEREAS, by 1980, Pembroke High School was the smallest high school in Hampton City Schools with both the lowest building capacity and the lowest enrollment; the school was closed and the building currently houses a branch of the YMCA, as well as the Hampton Department of Human Services; and

WHEREAS, the proud alumni of Pembroke High School have worked diligently to preserve and maintain the school's history and legacy of excellence, and in August 2022, the Pembroke High School Class of 1972 will host its 50th reunion; now, therefore, be it

RESOLVED by the House of Delegates, That Pembroke High School hereby be commended for its legacy of contributions to young people in Hampton as an outstanding public secondary school; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Pembroke High School Class of 1972 as an expression of the House of Delegates' appreciation for the school's important place in the history of Hampton.

### HOUSE RESOLUTION NO. 680

*Celebrating the life of Gladys Patricia Hayes Myers.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Gladys Patricia Hayes Myers, a beloved member of the Portsmouth community, died on April 27, 2022; and  
WHEREAS, Gladys Myers graduated from I.C. Norcom High School and continued her education at Norfolk State University, from which she earned bachelor's and master's degrees; and

WHEREAS, Gladys Myers pursued a long and fulfilling career as an elementary school teacher with Portsmouth Public Schools, touching the lives of countless students and earning many awards and accolades before her retirement in 2017; and

WHEREAS, Gladys Myers was a dedicated volunteer in the community who inspired others through her kindness and grace; she often served as a poll worker on election days and became an active member of Delta Sigma Theta in 2005; and

WHEREAS, Gladys Myers enjoyed fellowship and worship with the congregation of Calvary Evangelical Baptist Church, where she participated in numerous ministries, including Sunday school classes, a women's group, the choir, and the praise team; she also served as director of hospitality and was an administrative assistant in the church finance office; and

WHEREAS, Gladys Myers will be fondly remembered and greatly missed by her husband, Darryl; her sons, Antonio, Winchous, and William, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Gladys Patricia Hayes Myers; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Gladys Patricia Hayes Myers as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 681

*Commending the STEAM Program at Hillsboro Charter Academy.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the STEAM Program at Hillsboro Charter Academy in Loudoun County received the 2022 Program Excellence Award from the International Technology and Engineering Educator Association; and

WHEREAS, sponsored by the International Technology and Engineering Educator Association (ITEEA) and Paxton/Patterson, the Program Excellence Award honors outstanding classroom programs that help students achieve their fullest potential and make valuable contributions to the field of science, technology, engineering, arts, and mathematics (STEAM) education; and

WHEREAS, STEAM education has played an important role at Hillsboro Charter Academy since the school's establishment in 2016; and

WHEREAS, the STEAM Program at Hillsboro Charter Academy features an innovative studio class where students engage with scientific concepts through real-world challenges, as well as daily Explore! Engage! Engineer! (E3) learning projects; and

WHEREAS, E3 incorporates and integrates core subject lessons and gives students opportunities to complete engineering design challenges, participate in STEAM demonstrations, or pursue passion projects; and

WHEREAS, the STEAM Program at Hillsboro Charter Academy has succeeded through the hard work of its faculty and staff members, Wendy Dalton, Tiffany Miller, Miranda Meadows O'Toole, Nicole Mullins, Stefanie Krinsky, Stacie Kling, Megan Tucker, Beth Fuller, Paula Dillon, Mara Morgan, Katie Moeser, Julie Epstein, Wendy Newman, and Jess Ellinger; and

WHEREAS, Hillsboro Charter Academy has also been recognized as an ITEEA School of Excellence for three consecutive years; now, therefore, be it

RESOLVED by the House of Delegates, That the STEAM Program at Hillsboro Charter Academy hereby be commended on receiving the 2022 Program Excellence Award from the International Technology and Engineering Educator Association; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the STEAM Program at Hillsboro Charter Academy as an expression of the House of Delegates' admiration for the hard work and dedication of its staff members and the program's work to create new opportunities for students.

### HOUSE RESOLUTION NO. 682

*Celebrating the life of Master Sergeant Ezra M. Hill, Sr., USAF, Ret.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Master Sergeant Ezra M. Hill, Sr., USAF, Ret., a patriotic veteran and highly admired member of the Newport News community, died on May 11, 2022; and

WHEREAS, a native of Newport News, Ezra Hill grew up in Washington, D.C., and enlisted in the United States Army Air Corps at Fort Meade, Maryland, in 1947; and

WHEREAS, after basic training, Ezra Hill was assigned to the former Lockbourne Air Force Base in Ohio; he was primarily assigned to crash and rescue operations but also served in the Special Services entertainment branch due to his talents as a singer; and

WHEREAS, Ezra Hill was assigned to a unit of the famed Tuskegee Airmen, units of Black aviators who served with distinction during World War II and whose achievements helped ensure the desegregation of the United States Armed Forces in 1948; and

WHEREAS, while serving at Andrews Air Force Base in Maryland in 1949, Ezra Hill became the first enlisted man and the first Black man to play base-level basketball and he was later selected to play for the United States Air Force basketball team; he also continued to participate in Special Services activities, such as Operation Happiness; and

WHEREAS, Ezra Hill was assigned to Tokyo International Airport for three years as a crash and rescue specialist, then retrained in electronics; he was assigned to the 48th Fighter Interceptor Squadron at Langley Air Force Base in Virginia as a weapons systems technician from 1960 to 1965, then worked as an electronics operational readiness inspector at McGuire Air Force Base in New Jersey until his retirement in 1967; and

WHEREAS, Ezra Hill later worked as a teacher in Newport News Public Schools for one year, then served as a computer technician supervisor at Naval Air Station Norfolk for 18 years; and

WHEREAS, Ezra Hill authored the children's book *The Black Red Tail Angels, The Story of a Tuskegee Airman and the Aviators*, to preserve the achievements of the Tuskegee Airmen while promoting childhood literacy; and

WHEREAS, in 2007, Ezra Hill and several other former Tuskegee Airmen received the Congressional Gold Medal from President George W. Bush; and

WHEREAS, after settling in Newport News, Ezra Hill and his wife Mable also established the SMF Haven of Hope Foundation to serve and support members of the Newport News community in need; and

WHEREAS, Ezra Hill will be fondly remembered and greatly missed by his beloved wife, Mable; his children, Cynthia, Ezra, Jr., and Linda, and their families; and numerous other family members, friends, and fellow veterans; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Master Sergeant Ezra M. Hill, Sr., USAF, Ret.; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Master Sergeant Ezra M. Hill, Sr., USAF, Ret., as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 683

*Commending Franklin Brother's Keepers.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Franklin Brother's Keepers, a men's organization dedicated to the principles of integrity, excellence, service to others, and trustworthiness, has made a profound and lasting impact in the communities of Southeast Virginia; and

WHEREAS, Franklin Brother's Keepers was founded by the Reverend Dr. Anthony Goodwyn, who envisioned a group of men that would make a positive difference in the lives of residents of Franklin and Isle of Wight and Southampton counties; and

WHEREAS, Franklin Brother's Keepers fulfills its mission in part through collaborations with the juvenile and domestic courts, Bon Secours Health System, and other city organizations; and

WHEREAS, with approximately 40 members from various social and economic backgrounds, Franklin Brother's Keepers has helped feed the community through holiday functions and offers invaluable mentorship to young men in the community in need of guidance and direction; and

WHEREAS, Franklin Brother's Keepers invites prominent individuals in the community to speak at its bimonthly meetings, inspiring its members and fostering greater mutual understanding and respect; and

WHEREAS, Franklin Brother's Keepers continues to grow, drawing in members from Norfolk and other cities of the Tidewater Region, while working alongside its sister organization, Women of Grace, Dignity and Strength, which extends the organization's mission to young women in the community; and

WHEREAS, the accomplishments of Franklin Brother's Keepers are the result of the steadfast dedication of its members and their strict adherence to the organization's motto, "No Excuses"; now, therefore, be it

RESOLVED by the House of Delegates, That Franklin Brother's Keepers hereby be commended for their service to the communities of Franklin and Isle of Wight and Southampton counties; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Reverend Dr. Anthony Goodwyn, president of Franklin Brother's Keepers, as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 684

*Commending the Virginia Peanut Festival.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Virginia Peanut Festival, an annual event in Emporia that celebrates the important role the Virginia peanut variety and Virginia peanut farmers have played in the history and culture of the Commonwealth, commemorated its 60th anniversary in 2022; and

WHEREAS, the origins of the Virginia Peanut Festival date to 1949, when what is today, the Emporia-Greenville Chamber of Commerce sponsored the first Southside Virginia Peanut Festival; and

WHEREAS, after a break of several years, the Virginia Peanut Festival returned, appearing in various iterations over the years as the Southside Virginia Peanut Festival, the Emporia Peanut Festival, the Emporia-Greenville Peanut Festival, and the Virginia Peanut Festival, and was officially franchised by the Emporia-Greenville Chamber of Commerce in 1981; and

WHEREAS, initially run exclusively by volunteers, the Virginia Peanut Festival was later managed by an event company from 1994 to 2001 until the costs associated with the event became prohibitive; and

WHEREAS, unwilling to witness the end of a cherished community event, local leaders Robert C. Wrenn and Bobby L. Flippen organized a group of volunteers to carry on the tradition of the Virginia Peanut Festival; and

WHEREAS, since the 40th Virginia Peanut Festival in 2001, the event has been made possible through the tireless efforts of its dedicated volunteers and the generous sponsorship of the City of Emporia, the County of Greensville, and many local businesses and citizens; and

WHEREAS, distinguished actors, athletes, pageant queens, community activists, and other public figures have served as grand marshal of the Virginia Peanut Festival over the years, including actress Elizabeth Taylor, astronaut John Michael Lounge, and NASCAR Hall of Fame driver Cale Yarborough; and

WHEREAS, in its early years, the Virginia Peanut Festival featured a beauty pageant that determined the queen of the festival; over time, the event has evolved to include a car and truck show, parade, food competition, fireworks display, live music, arts and craft presentations, educational exhibits, a carnival, and more; and

WHEREAS, with great purpose and vision, the Virginia Peanut Festival brings people together year after year to celebrate the Virginia peanut variety and peanut farmers of the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the Virginia Peanut Festival in Emporia hereby be commended on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Virginia Peanut Festival as an expression of the House of Delegates' admiration for the event's history and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 685

*Commending Moriah Smith.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, in 2021, Moriah Smith, a student at Oakton High School, achieved the Gold Award, the most prestigious honor bestowed by the Girl Scouts of the USA; and

WHEREAS, Moriah Smith has earned more than 30 badges and numerous awards since joining the Girl Scouts of the USA in 2013, including the organization's four highest awards, the Bronze Award, the Silver Award, the Silver Trefoil Award, and the Gold Award; and

WHEREAS, Moriah Smith's Gold Award project focused on engaging youth through high adventure activities to promote their health and well-being; she planned and ran three workshops for approximately 60 kids of all ages, leading them through several activities and managing the overall implementation of the workshops; and

WHEREAS, Moriah Smith also published a website and a children's book related to her Gold Award project, the proceeds of which will support the Girl Scout Council of the Nation's Capital; and

WHEREAS, as a testament to her commitment to serving others, Moriah Smith received the Community Service and Service to Girl Scouting bars at the cadette, senior, and ambassador levels; and

WHEREAS, Moriah Smith has participated in many leadership opportunities with the Girl Scouts of the USA, serving as troop president and organizing and running events for younger girls in her service unit; and

WHEREAS, in 2020, Moriah Smith became a USA Archery-certified instructor and a Girl Scouts of the USA-certified slingshot instructor, and she frequently volunteers to facilitate events in both sports for younger girls; and

WHEREAS, Moriah Smith has been a counselor at Girl Scouts of the USA day camps since 2016, leading campers through several activities and serving as a positive role model to the younger scouts; and

WHEREAS, Moriah Smith completed a Girl Scout Destinations trip to Costa Rica in 2018, where she used her Spanish language abilities to deeply immerse herself in the local culture; and

WHEREAS, Moriah Smith is a dedicated member of the Oakton High School marching band, serving as section leader in her junior year and as main section leader in her senior year, while sitting on the band council since the end of her junior year; and

WHEREAS, Moriah Smith has played soccer competitively since she was six years of age, including two years on the junior varsity team at Oakton High School; and

WHEREAS, Moriah Smith has made the All-A honor roll throughout her time at Oakton High School while maintaining an impressive array of extracurricular activities; now, therefore, be it

RESOLVED by the House of Delegates, That Moriah Smith hereby be commended for earning a Gold Award from the Girl Scouts of the USA; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Moriah Smith as an expression of the House of Delegates' admiration for her accomplishments and best wishes in her future endeavors.

**HOUSE RESOLUTION NO. 686***Commending Zoe Zarnegar.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Zoe Zarnegar, a senior at Chantilly High School, received the highest award in the Girl Scouts of the USA, the Gold Award, for her outstanding accomplishments in Scouting and community leadership; and

WHEREAS, Zoe Zarnegar joined the Girl Scouts of the USA in 2009 when she was in kindergarten and has been an active member of Troop 2705 for many years, achieving the rank of ambassador; and

WHEREAS, Zoe Zarnegar earned the Bronze Award for her work to coordinate a neighborhood food drive, and she earned the Silver Award for her project to sew and donate hats for the homeless; and

WHEREAS, a member of the nonprofit performing arts company Encore Theatrical Arts Project, Zoe Zarnegar used her experience as a dancer for the Gold Award project by organizing an independent dance camp to promote physical fitness for girls without access to gym classes or after-school programs during the COVID-19 pandemic; and

WHEREAS, Zoe Zarnegar's dance camp promoted healthy activities for young people in the community and promoted theatre dancing as a rewarding form of exercise; in conjunction with the camp, she also ran a costume drive that collected 150 new or used costumes for use in the performing arts; and

WHEREAS, in addition to her work with the Girl Scouts of the USA, Zoe Zarnegar is a student equity ambassador leader at Chantilly High School, in which capacity she provides support for disadvantaged students and helps officials from Fairfax County Public Schools to develop policies that enhance student achievement; now, therefore, be it

RESOLVED by the House of Delegates, That Zoe Zarnegar hereby be commended on earning the Gold Award in the Girl Scouts of the USA; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Zoe Zarnegar as an expression of the House of Delegates' admiration for her achievements and best wishes for the future.

**HOUSE RESOLUTION NO. 687***Commending Christina Alvarez.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Christina Alvarez, a student at Chantilly High School, holds the unique distinction of attaining the rank of Eagle Scout with the Boy Scouts of America and receiving a Gold Award from the Girl Scouts of the USA; and

WHEREAS, Christina Alvarez was the founder and first senior patrol leader of Boy Scouts of America Troop 893G and became a member of the inaugural class of female Eagle Scouts in February 2021; and

WHEREAS, Christina Alvarez's Eagle Scout Service Project was to build domiciles for insects, butterflies, and bees for the Arlington-Fairfax Chapter of the Izaak Walton League of America, helping the organization increase the local insect population; and

WHEREAS, in addition to her rank as Eagle Scout, Christina Alvarez has been accepted into the Order of the Arrow honor society and earned several Eagle Palms, which are honors presented to scouts who complete additional merit badges after fulfilling their Eagle Scout requirements; and

WHEREAS, Christina Alvarez was a member of a Venturing Crew, an inclusive program operated by the Boy Scouts of America for males and females age 14 through 20, and achieved the Summit Rank, Venturing's highest honor; and

WHEREAS, Christina Alvarez was presented the Gold Award by the Girl Scouts of the USA in January 2022 after completing a service project in which she created videos to teach others how to run their own Autism Awareness Month programs; and

WHEREAS, Christina Alvarez has also earned the Girl Scouts of the USA Silver Trefoil Award, which requires over 100 hours of community service in various capacities; and

WHEREAS, Christina Alvarez is highly involved in her church youth group and myriad groups at school, including the Key Club, concert band, art club, and Parent Teacher Student Association, and through scouting and other activities has volunteered more than 375 hours in service to the community; and

WHEREAS, a member of the National Honor Society, Christina Alvarez has maintained a 3.9 grade point average while taking honors courses and enrolling in the Virginia Department of Education's Teachers for Tomorrow program; and

WHEREAS, Christina Alvarez is a co-captain and member of the junior shooting sports organization NoVA Sharpshooters and has helped many young shooters learn the sport after completing her National Rifle Association Level I Coach certification; and

WHEREAS, Christina Alvarez's accomplishments as both a scout and student are a result of her tireless dedication and hard work and are an inspiration to all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Christina Alvarez hereby be commended for becoming both a Boy Scouts of America Eagle Scout and a Girl Scouts of the USA Gold Awardee; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Christina Alvarez as an expression of the House of Delegates' admiration for her achievements and best wishes in her future endeavors.

### HOUSE RESOLUTION NO. 689

*Commending the John Marshall High School boys' basketball team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, in March 2022, the John Marshall High School boys' basketball team won the Virginia High School League Class 2 state championship; and

WHEREAS, the John Marshall High School Justices defeated a talented team from Radford High School by a score of 82-43 to secure the state title; and

WHEREAS, the John Marshall Justices dominated the flow of play with their athleticism and depth on the bench, taking a 16-point lead by halftime and pushing to an insurmountable 31-point lead by the end of the third quarter; and

WHEREAS, the John Marshall Justices held Radford High School's high-powered offense to 7 for 23 on three-pointers and 16 for 49 on shooting overall; and

WHEREAS, John Marshall junior Dennis Parker, Jr., led the game with 24 points, including a notable 11-point run in the third quarter, and 10 rebounds; and

WHEREAS, the John Marshall Justices' state final win was the ninth in program history and the fourth since head coach Ty White joined the team in 2010; and

WHEREAS, the victorious season is a tribute to the skill and hard work of all the student-athletes, the leadership and dedication of the coaches and staff, and the enthusiastic support of the entire John Marshall High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the John Marshall High School boys' basketball team hereby be commended on winning the Virginia High School League Class 2 state championship in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ty White, head coach of the John Marshall High School boys' basketball team, as an expression of the House of Delegates' admiration for the team's achievements and best wishes for the future.

### HOUSE RESOLUTION NO. 690

*Commending Torsha Lee.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Torsha Lee, a resident of Smithfield and a second-year teacher in Norfolk Public Schools, has touched countless young lives as an educator and community leader; and

WHEREAS, Torsha Lee was previously a long-term substitute and special education paraprofessional at Coleman Place Elementary School; and

WHEREAS, Torsha Lee is currently a third-grade teacher at Coleman Place Elementary School and serves the Norfolk community as a school bus driver, making two to three runs each day to ensure that children travel safely between home and school; and

WHEREAS, Torsha Lee has consistently gone above and beyond in her role as an educator to stay engaged with students and their families and build fellowship in the community; now, therefore, be it

RESOLVED by the House of Delegates, That Torsha Lee hereby be commended for her efforts to better the City of Norfolk and care for children; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Torsha Lee as an expression of the House of Delegates' admiration for her contributions to the City of Norfolk and the Commonwealth.

### HOUSE RESOLUTION NO. 691

*Commending OpenNorfolk.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, OpenNorfolk, a community assistance program, has helped numerous restaurants in the City of Norfolk reopen safely during the COVID-19 pandemic; and

WHEREAS, the COVID-19 pandemic led to a nearly year-long shutdown of indoor dining in the Commonwealth, and the City of Norfolk implemented OpenNorfolk, a comprehensive effort to help restaurants recover; and



WHEREAS, supported by an architectural firm, OpenNorfolk harnessed concepts of short-term, low-cost changes, known as tactical urbanism, to design unique outdoor dining and park spaces; and

WHEREAS, OpenNorfolk constructed more than 20,000 square feet of custom parklets on pedestrian-focused, commercial streets to provide safe, ADA-compliant outdoor dining; and

WHEREAS, in just one week, OpenNorfolk designed and built four pop-up parks or hubs for use by the arts community or as markets for local entrepreneurs; the locations facilitated public health initiatives and educational support while schools were closed; now, therefore, be it

RESOLVED by the House of Delegates, That OpenNorfolk hereby be commended for its efforts to better the City of Norfolk and support the business community during the COVID-19 pandemic; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to OpenNorfolk as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 692

*Commending Beats by JT.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Beats by JT is an up-and-coming 15-year-old music producer and finger drummer with a unique ear and a passion for serving as a beacon of hope and inspiration in his community; and

WHEREAS, in December 2021, Beats by JT hosted a dance party and toy drive that benefited first graders from Ingleside Elementary School in Norfolk and Craddock Elementary School in Portsmouth, along with other families in need; and

WHEREAS, in April 2022, Beats by JT partnered with Sk8 House Virginia Beach for a fundraiser for Samaritan House, a Virginia Beach nonprofit organization that provides services for victims of sexual and domestic violence, human trafficking, and homelessness; and

WHEREAS, in May 2022, Beats by JT hosted his inaugural Community Keepers Awareness Event, which raised awareness about human trafficking and sextortion and brought together elected officials, community leaders, and law-enforcement agencies to discuss how to best support survivors and protect future generations; now, therefore, be it

RESOLVED by the House of Delegates, That Beats by JT hereby be commended for his efforts to better the City of Norfolk, the Hampton Roads Region, and the Commonwealth as a whole; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Beats by JT as an expression of the House of Delegates' admiration for his contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 693

*Commending the Hampton Roads Youth Poet Laureates and Ambassadors.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Hampton Roads Youth Poet Laureate Program is a joint program of Teens with a Purpose and Hampton Roads Youth Poets, in partnership with Urban Word NYC, supported by PEN Center USA and the Academy of American Poets; and

WHEREAS, the Hampton Roads Youth Poet Laureate Program aims to identify young writers and leaders who are committed to civic and community engagement, poetry and performance, and leadership and education across Hampton Roads; and

WHEREAS, the National Youth Poet Laureate Program was founded in 2016 by Urban Word NYC, a youth program that provides opportunities for learning creative writing, poetry, spoken word, college prep, literature, and hip-hop to support development and engagement among young adults; and

WHEREAS, on April 25, 2022, four young people with stellar poetry skills, outstanding civic/social engagement, and abundant energy were selected as Hampton Roads Youth Poet Laureates and Ambassadors; and

WHEREAS, Salma Amrou of Suffolk and Ayana Askew of Norfolk were named 2022 Youth Poet Laureates and Areen Syed of Virginia Beach and Marjorie Cenese of Norfolk were named Youth Poet Laureate Ambassadors; now, therefore, be it

RESOLVED by the House of Delegates, That Salma Amrou, Ayana Askew, Areen Syed, and Marjorie Cenese hereby be commended on their selection as Hampton Roads Youth Poet Laureates and Ambassadors; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare copies of this resolution for presentation to the Hampton Roads Youth Poet Laureates and Ambassadors as an expression of the House of Delegates' admiration for their contributions to the Commonwealth.

**HOUSE RESOLUTION NO. 694**

*Commending Susie Lee.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Susie Lee, an accomplished public health professional, will retire from her role as executive director of the Potomac Health Foundation in Woodbridge in 2022; and

WHEREAS, in preparation for her career, Susie Lee earned a bachelor's degree in anthropology with honors from the University of Pennsylvania and a master's degree in public health from the Mailman School of Public Health at Columbia University; and

WHEREAS, Susie Lee was inspired to pursue a career in public health while working in health policy at the Association of Maternal and Child Health Programs and as an intern in the health division of the Children's Defense Fund; and

WHEREAS, prior to joining the Potomac Health Foundation, Susie Lee held leadership roles at Public Health Solutions in New York City and at Gavi, The Vaccine Alliance, where she acquired valuable experience managing public health programs and monitoring grants to ensure their proper implementation and efficacy; and

WHEREAS, Susie Lee became executive director of the Potomac Health Foundation in 2014, overseeing all aspects of the organization's operations, including its strategic planning, financial management, and grant programs; and

WHEREAS, during Susie Lee's tenure, the Potomac Health Foundation has furthered its mission to improve access to health care for the medically underserved through the distribution of grants and by convening community partners; and

WHEREAS, Susie Lee's professional accomplishments in a career spanning more than two decades in the field of public health are the result of her consummate talents and expertise and her steadfast dedication to helping others; now, therefore, be it

RESOLVED by the House of Delegates, That Susie Lee hereby be commended on the occasion of her retirement from the position of executive director of the Potomac Health Foundation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Susie Lee as an expression of the House of Delegates' admiration for her contributions to the Commonwealth and best wishes in her future endeavors.

**HOUSE RESOLUTION NO. 695**

*Commending Debbie Jones.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Debbie Jones, esteemed president and chief executive officer of the Prince William Chamber of Commerce, will retire on December 31, 2022, after 32 years in service to the residents and businesses of the greater Prince William County area; and

WHEREAS, in 1990, Debbie Jones began her career as a communications coordinator with what was then the Prince William County-Greater Manassas (PWC-GM) Chamber of Commerce, earning a promotion to the position of president and chief executive officer three years later; and

WHEREAS, during Debbie Jones' tenure with the PWC-GM Chamber of Commerce, the organization grew to over 1,000 members while advancing various initiatives to support the development of western Prince William County, Manassas, and Manassas Park; and

WHEREAS, Debbie Jones continued to cultivate her abilities as a business development advocate, becoming a 2007 graduate of Lead Virginia and a 2010 graduate of Leadership Prince William, a regional leadership program spearheaded by what were then the PWC-GM Chamber of Commerce and the Prince William Regional Chamber of Commerce; and

WHEREAS, Debbie Jones was subsequently named chief operating officer of the newly formed Prince William Chamber of Commerce, which was created in 2010 following the merger of the PWC-GM Chamber of Commerce and the Prince William Regional Chamber of Commerce; and

WHEREAS, Debbie Jones was then named president and chief executive officer of the Prince William Chamber of Commerce in 2014, leading thousands of member businesses and employees through a period of robust growth and development despite historic challenges such as the COVID-19 pandemic; and

WHEREAS, Debbie Jones' commitment to her community has led to her service on numerous boards, including the Virginia Association of Chamber of Commerce Executives, the Prince William County Police Department Citizen Advisory Board, and the Benedictine Sisters of Virginia Advisory Board; and

WHEREAS, in recognition of her tireless efforts, Debbie Jones has received myriad honors and accolades over her career, including being named one of *Prince William Living* magazine's Most Influential Women in 2021 and receiving the College of Visual and Performing Arts' Thomas W. Iszard IV Distinguished Alumni Award from the George Mason University Alumni Association in 2019; and

WHEREAS, by cultivating partnerships and community support that have helped businesses in Prince William County, Manassas, and Manassas Park to thrive, Debbie Jones has made an indelible impact on the region she has served while leaving the Prince William Chamber of Commerce poised to continue its important work for many years to come; now, therefore, be it

RESOLVED by the House of Delegates, That Debbie Jones hereby be commended on the occasion of her retirement as president and chief executive officer of the Prince William Chamber of Commerce; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Debbie Jones as an expression of the House of Delegates' admiration for her contributions to the Commonwealth and best wishes for a happy and fulfilling retirement.

### HOUSE RESOLUTION NO. 696

*Commending the Sikh Center of Virginia.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Sikh Center of Virginia in Manassas is a gurdwara formed in 2009 to serve as a place of worship for the local community of individuals of the Sikh faith; and

WHEREAS, in addition to its devotional services and langar, the Sikh Center of Virginia runs a Sunday school to teach children of the community about Punjabi language and culture and the Sikh religion, as well as about American holidays and traditions; and

WHEREAS, the Sikh Center of Virginia participates annually in the Dale City Independence Day Parade, celebrating the history of the United States while aiding many by distributing chilled water to those in attendance; and

WHEREAS, the Sikh Center of Virginia regularly holds seminars to educate members of its congregation about their civic duties, including participation in elections, and conducts special programs for the benefit of senior citizens; and

WHEREAS, the Sikh Center of Virginia actively engages in regional interfaith dialogue and other efforts to foster strong bonds between the various faith organizations in the area; and

WHEREAS, the Sikh Center of Virginia recently received unanimous approval from the Prince William Board of County Supervisors to expand its facilities along Buckhall Road in Manassas, enhancing its ability to serve its members and the Prince William County community; and

WHEREAS, by providing a space for worship and spiritual reflection and ample opportunities for community outreach, the Sikh Center of Virginia has helped to make Prince William County a more welcoming place for all; now, therefore, be it

RESOLVED by the House of Delegates, That the Sikh Center of Virginia hereby be commended for its uplifting spiritual guidance and inspirational service to the community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Sikh Center of Virginia as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 697

*Commending Grandmaster Hyeon Kon Lee.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Grandmaster Hyeon Kon Lee, a world-renowned practitioner, teacher, and advocate of the Korean martial art of TaeKwonDo, was selected by *Martial Arts World News Magazine* as the 2022 Grandmaster of the Year; and

WHEREAS, born in the Republic of Korea, Hyeon Kon "H.K." Lee immigrated to the United States and settled in Herndon, where he established the Grandmaster H.K. Lee TaeKwonDo Academy; he became a United States citizen in 1981 and has worked diligently to build a strong sense of community in the Herndon area; and

WHEREAS, H.K. Lee mentors good character and citizenship, such as humility, respect, self-discipline, patience, and care for others; his academy promotes healthy minds and bodies while teaching self-defense skills that build confidence and freedom from fears; and

WHEREAS, H.K. Lee earned the prestigious Grandmaster of the Year award for his commitment to excellence in martial arts instruction and dedication to community outreach; and

WHEREAS, H.K. Lee currently holds ninth degree black belts from the Korea Moo Duk Kwan Association and the World TaeKwonDo Federation Headquarters, by which he is also certified as a first class international grandmaster and a high rank examiner; and

WHEREAS, H.K. Lee has been featured in numerous martial arts publications and has promoted the benefits of TaeKwonDo as a form of physical fitness and means to build self-discipline and high character throughout the Commonwealth and the United States; and

WHEREAS, H.K. Lee has offered his leadership to national and international martial arts organizations, including as the former chair of the USA TaeKwonDo National Education/Certification Committee and chair of education for World TaeKwonDo Headquarters; and

WHEREAS, in 2014, H.K. Lee became one of only eight TaeKwonDo grandmasters to receive the Korean National President's Award for his accomplishments; he has also been inducted into the U.S. TaeKwonDo Grandmasters Society Hall of Fame and International Marital Arts Hall of Fame for Education Leadership; and

WHEREAS, Grandmaster H.K. Lee has helped organizations raise hundreds of thousands of dollars for charity, and his own academy has raised tens of thousands of dollars for local organizations such as the Virginia Jaycees, the Herndon High School Booster Club, and the Vecinos Unidos Herndon/Neighbors United, Inc.; and

WHEREAS, H.K. Lee has built strong relationships with generations of students and helped them achieve their personal goals as martial artists and community leaders while enhancing the overall quality of life in Herndon; now, therefore, be it

RESOLVED by the House of Delegates, That Grandmaster Hyeon Kon Lee hereby be commended on his selection by *Martial Arts World News Magazine* as the 2022 Grandmaster of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Grandmaster Hyeon Kon Lee as an expression of the House of Delegates' admiration for his many achievements.

### HOUSE RESOLUTION NO. 698

*Commending Ronald A. Paul, M.D.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Ronald A. Paul, M.D., a trusted physician and an accomplished community leader, has made outstanding contributions to the residents of Northern Virginia and the Greater Washington, D.C., region as president of the Jewish Community Relations Council of Greater Washington; and

WHEREAS, a practicing obstetrician-gynecologist for more than 40 years, Ronald Paul has volunteered his medical expertise to Charles E. Smith Life Communities senior living facility and the Hirsh Health Center and chaired a medical advisory group at the Jewish Foundation for Group Homes; and

WHEREAS, known for his hands-on leadership and commitment to philanthropy, Ronald Paul has supported many local organizations, taking a particular interest in the arts through his work with the Arena Stage at the Mead Center for American Theater; and

WHEREAS, Ronald Paul is a passionate advocate for the Jewish community and has offered leadership, guidance, and medical expertise to Jewish organizations throughout the region; and

WHEREAS, in addition to serving as president of the Jewish Community Relations Council of Greater Washington, Ronald Paul has been a member of the organization's executive board for many years and serves as chair of its annual Holocaust commemoration; and

WHEREAS, Ronald Paul has served as chair of the United Jewish Endowment Fund and on the boards of the Jewish Foundation for Group Homes, the Jewish Federation of Greater Washington, the Jewish Council for the Aging, and the Anti-Defamation League; and

WHEREAS, during Ronald Paul's two-year tenure as president of the Jewish Community Relations Council of Greater Washington, which coincided with the COVID-19 pandemic, he led the organization with vision, passion, and a commitment to excellence, enabling the Council to accomplish great things for the Jewish community in the region and beyond; and

WHEREAS, among many awards and accolades, Ronald Paul was selected by *Washingtonian* magazine as a Top Doctor in 2008, and he and his wife, Toni, received the Community Leadership Award from the Jewish Community Relations Council in 2010 and the Melvin S. Cohen Community Service Award from the Jewish Foundation for Group Homes in 2016; now, therefore, be it

RESOLVED by the House of Delegates, That Ronald A. Paul, M.D., hereby be commended on his outstanding accomplishments as president of the Jewish Community Relations Council of Greater Washington; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ronald A. Paul, M.D., as an expression of the House of Delegates' admiration for his service to the Jewish community in the Washington, D.C., metropolitan area.

### HOUSE RESOLUTION NO. 699

*Commending Jacqueline Naughton.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Jacqueline Naughton, a counselor at Lake Braddock Secondary School in Fairfax County, received a 2021-2022 National LifeChanger Award from the National Life Group; and

WHEREAS, a graduate of Michigan State University and George Mason University, Jacqueline Naughton has extensive experience in special education, intervention support, and counseling and goes above and beyond to help her students feel safe and supported; and

WHEREAS, with more than 4,000 students at Lake Braddock Secondary School, Jacqueline Naughton's case load consists of students who require substantial support for a wide range of reasons; and

WHEREAS, Jacqueline Naughton puts in long hours during the week, encouraging students to do homework in her office so that she can offer tutoring and mentorship, and on the weekends, she often meets students outside of school to help with work or discuss life issues informally; and

WHEREAS, Jacqueline Naughton operates a food pantry at Lake Braddock Secondary School for students in need, and during breaks, she organizes a food drive that collects items for family care packages; and

WHEREAS, Jacqueline Naughton has been a trusted mentor and friend to her colleagues, serving as a collaborative team leader for her department; many teachers have sought her advice for engaging with students; and

WHEREAS, Jacqueline Naughton frequently nominates her colleagues for awards and actively seeks opportunities to help others; she has led initiatives to show appreciation for custodians and other school staff, and during the COVID-19 pandemic, she organized a drive-by celebration for the school's administrative assistants; and

WHEREAS, as a National LifeChanger Award winner, Jacqueline Naughton received a \$1,500 individual award and a \$1,500 donation for Lake Braddock Secondary School; now, therefore, be it

RESOLVED by the House of Delegates, That Jacqueline Naughton hereby be commended on winning a National LifeChanger Award from the National Life Group; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jacqueline Naughton as an expression of the House of Delegates' admiration for her outstanding achievements on behalf of young people in Fairfax County.

### HOUSE RESOLUTION NO. 700

*Commending Team Mission Possible at Robinson Secondary School.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Team Mission Possible at Robinson Secondary School raised thousands of dollars in donations to support the Leukemia and Lymphoma Society and received a Volunteerism Citizenship Award scholarship from the organization's Washington, D.C., Students of the Year Campaign; and

WHEREAS, Team Mission Possible was created by Robinson Secondary School students Kristen Bae, Veronica Thieman, and Andrea Cadima and successfully raised nearly \$50,000 to help fund lifesaving cancer therapies and treatments; and

WHEREAS, Team Mission Possible and two other fundraising teams at Robinson Secondary School, Team RamFam for a Cure led by Thomas Walsh and Reese Koberg and Team RAMbunctious led by Hamza Lodhi and Grace Dreibelbis, collectively raised more than \$100,000; and

WHEREAS, as a Volunteerism Citizenship Award winner, Team Mission Possible received a plaque commemorating its achievement and was featured on *Good Morning Washington* on March 14, 2022; now, therefore, be it

RESOLVED by the House of Delegates, That Team Mission Possible at Robinson Secondary School hereby be commended for its successful fundraising project in support of the Leukemia and Lymphoma Society; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Team Mission Possible at Robinson Secondary School as an expression of the House of Delegates' admiration for the team's outstanding commitment to community service.

### HOUSE RESOLUTION NO. 701

*Celebrating the life of Captain Kimberly Schoppa.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Captain Kimberly Schoppa, a dedicated member of the Fairfax County Fire and Rescue Department, died as a result of occupational cancer on April 26, 2022; and

WHEREAS, Kimberly Schoppa began her career as a firefighter in 2004 and safeguarded the lives and property of community members with the Fairfax County Fire and Rescue Department for 18 years; and

WHEREAS, Kimberly Schoppa was assigned to Fire Station 27 in West Springfield, where she was a member of C Shift and served her fellow firefighters on the Honor Guard; and

WHEREAS, Kimberly Schoppa was an exceptional leader, a trusted mentor, and a devoted friend; she inspired others through her kindness, courage, and compassion; and

WHEREAS, Kimberly Schoppa will be fondly remembered and greatly missed by her wife, Kim; her parents, Jan and Karl; her brothers, Chris and Brett; and numerous other family members, friends, and fellow public safety officers; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Captain Kimberly Schoppa, who touched countless lives as a member of the Fairfax County Fire and Rescue Department; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Captain Kimberly Schoppa as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 702

*Celebrating the life of Buford Blackburn Belcher.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Buford Blackburn Belcher of Pearisburg, a respected public safety officer, passed away on May 16, 2021; and WHEREAS, Buford "Boots" Blackburn Belcher served the nation as a member of the United States Army and later as a law-enforcement officer with the United States Forest Service; and

WHEREAS, Boots Belcher became a member of the Giles County Life Saving and Volunteer Rescue Squad in 1981 and rose through the ranks as a purchasing agent, sergeant, and lieutenant of training and personnel to ultimately become captain; and

WHEREAS, in 1991, Boots Belcher became a founding member of the Newport Volunteer Rescue Squad and served as captain of the organization from November of that year until December 2000; and

WHEREAS, Boots Belcher also served the Newport Volunteer Rescue Squad as its representative to the Virginia Association of Volunteer Rescue Squads (VAVRS) Board of Governors from 1991 to 2001; and

WHEREAS, Boots Belcher served with the VAVRS in many capacities at the district and state levels, including as the District 7 rescue and deputy rescue officer, district training officer, and alternate vice president, and as District 7 vice president from 1999 to 2001 and again from 2006 to 2007; and

WHEREAS, Boots Belcher was certified in many of the numerous VAVRS courses, including emergency vehicle operator's course, vehicle extrication, search and rescue instructor, cave rescue, and rescue squad management, and he was also certified as a cardiac technician; and

WHEREAS, Boots Belcher was trained in incident management command by the United States Forest Service; he was also trained in hazardous materials awareness and served as the first hazardous materials coordinator in Giles County; and

WHEREAS, Boots Belcher was selected by his peers to receive life membership in the Giles County Life Saving and Volunteer Rescue Squad and in the Newport Volunteer Rescue Squad; in September 2007, he was elected by his colleagues in the VAVRS as a life member of the association in recognition of his accomplishments over the years; and

WHEREAS, Boots Belcher is survived by his daughter, Liz, and son-in-law, Steve; grandson, Ryan; sister, Annell; numerous nieces and nephews; numerous friends in Pearisburg and Giles County; and all of his many friends in the emergency medical services family throughout the Commonwealth; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Buford Blackburn Belcher, a respected leader in the Giles County and Pearisburg communities and in the emergency medical services community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Buford Blackburn Belcher as an expression of the House of Delegates' respect for his memory and his contributions to Giles County and the Commonwealth.

### HOUSE RESOLUTION NO. 703

*Celebrating the life of Diane M. Eckert.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Diane M. Eckert, a beloved wife, mother, grandmother, and friend, who enhanced the quality of life in Fairfax County through her commitment to servant leadership, died on March 19, 2022; and

WHEREAS, a native of Portsmouth, New Hampshire, Diane Eckert was a first-generation college student who earned a bachelor's degree in sociology from what is now Simmons University; she continued her education at Boston College, from which she received a master's degree in social work; and

WHEREAS, in her 20s and 30s, Diane Eckert explored the United States on many cross-country road trips and enjoyed many excursions abroad; she documented her adventures through an extensive collection of beautiful photography that demonstrates her keen eye and sense of creativity; and

WHEREAS, after settling in the Commonwealth, Diane Eckert worked diligently to build community coalitions to address important issues in Fairfax County Public Schools and took a particular interest in preventing drug use among local youths; and

WHEREAS, Diane Eckert earned countless awards and accolades for her achievements toward making Fairfax County a safe and supportive environment for young people and once hosted President George W. Bush on a tour of the Vienna Community Center that highlighted the center's afterschool drug prevention programs; and

WHEREAS, Diane Eckert cofounded the Unified Prevention Coalition to further support drug prevention programs in the region by pursuing government grants and provided her determined leadership to the organization until her well-earned retirement in 2017; and

WHEREAS, Diane Eckert's greatest joy in life was her family, and in later life, she provided outstanding care to her husband, Joseph, after he was diagnosed with early-onset Alzheimer's disease; and

WHEREAS, Diane Eckert relished every opportunity to impart her kindness, curiosity, and grace to her children and grandchildren, while helping them cultivate their passions and achieve their fullest potential in any endeavor; and

WHEREAS, Diane Eckert will be greatly missed by her husband of 46 years, Joseph; her children, Rose-Ann, Elizabeth, Christopher, and Anna, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Diane M. Eckert, a devoted community leader in Fairfax County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Diane M. Eckert as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 704

*Celebrating the life of Elaine Bogue Moore.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Elaine Bogue Moore, a devoted community activist who served as the founding chief executive officer of Leadership Fairfax, died on March 17, 2022; and

WHEREAS, Elaine Moore was born in Schenectady, New York, and grew up in St. Petersburg, Florida, where she attended St. Petersburg High School and was a flautist in the school band; and

WHEREAS, Elaine Moore continued her education at Florida State University, where she was a member of Alpha Chi Omega Sorority, and graduated with a bachelor's degree in 1960; and

WHEREAS, throughout her distinguished career, Elaine Moore worked for the Southern Regional Education Board and for the Honorable Wyatt B. Durrette, Jr., during his time in the Virginia House of Delegates; and

WHEREAS, Elaine Moore was selected as the founding chief executive officer and executive director of Leadership Fairfax when it was established by the Northern Virginia Chamber of Commerce in 1987; and

WHEREAS, Elaine Moore ultimately retired from the Fairfax County Department of Family Services, having touched countless lives and inspired many fellow civic servants through her commitment to community engagement and lifelong learning; and

WHEREAS, in later life, Elaine Moore resided at Goodwin House Bailey's Crossroads and maintained her commitment to volunteer service as a poll worker on election days and a lay reader in the chapel; and

WHEREAS, Elaine Moore will be fondly remembered and greatly missed by her son, Michael, and his family; her companion, Ben Wilmot; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Elaine Bogue Moore, a dedicated community leader in Fairfax County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Elaine Bogue Moore as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 705

*Celebrating the life of Ryland Branch Bennett.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Ryland Branch Bennett, an esteemed mortician and lifelong and beloved member of the Danville community, died on March 15, 2022; and

WHEREAS, a graduate of the John A. Gupton School of Mortuary Science, Ryland Bennett was funeral director of Wrenn-Yeatts Funeral Home in Danville for more than 66 years, ultimately becoming the business's president and majority owner; and

WHEREAS, Ryland Bennett assisted innumerable families over the years with heartfelt care and consideration as they honored and mourned their departed loved ones and paid their last respects; and

WHEREAS, with a deep commitment to helping individuals and families in their time of need, Ryland Bennett was a founding and lifetime member of the Danville Life Saving Crew and a member of the disaster relief organization God's Pit Crew since 2009, with whom he volunteered more than 11,000 hours; and

WHEREAS, Ryland Bennett's community involvement also included his membership at the Tuscarora Country Club and with Kent Lodge #305 of the Ancient Free and Accepted Masons, which he formerly served as president; and

WHEREAS, Ryland Bennett joined the George Washington High School Football Fan Club when his sons were on the team and would continue to actively support the program and its student-athletes for the next 25 years; and

WHEREAS, Ryland Bennett was passionate about Jaguar automobiles and had recently restored his prized 1962 Jaguar E-Type, which he would often present at car shows organized by the Virginia Jaguar Club; and

WHEREAS, guided throughout his life by his faith, Ryland Bennett enjoyed worship and fellowship with his community at Kentuck Baptist Church in Ringgold, where he served as a trustee and deacon, sang in the choir, and sat on various church committees; and

WHEREAS, Ryland Bennett will be fondly remembered and dearly missed by his loving wife of 63 years, Dorothy; his children, Ryland and Dudley, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Ryland Branch Bennett, a cherished member of the Danville community whose servant leadership touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Ryland Branch Bennett as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 706

*Celebrating the life of Eileen Garnett.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Eileen Garnett, a community revitalization volunteer who made many contributions to her fellow residents of Annandale, died on May 25, 2022; and

WHEREAS, Eileen Garnett had lived in Annandale for many years and was a well-known leader in the Broyhill Crest neighborhood; in the mid-1980s, she established a beautification committee to enhance the community and became the heart and soul of the downtown Annandale revitalization movement; and

WHEREAS, for nearly 40 years, Eileen Garnett worked with county staff and members of the Virginia Department of Transportation to inspect paving, landscaping, and other infrastructure and evaluate ways to make downtown Annandale more accessible and more attractive; and

WHEREAS, Eileen Garnett's legacy lives on through the many projects she recommended and oversaw, from streetscape plantings to the installation of lighting, signage, and sidewalk furniture; and

WHEREAS, among many awards and accolades, Eileen Garnett was selected as Lady Fairfax in 1986 and earned the Community Champion award from Volunteer Fairfax in 2007; and

WHEREAS, outside of her work with community revitalization, Eileen Garnett also volunteered her time and wise leadership to Annandale Christian Community for Action, a coalition of local church congregations that provides support for people in need; and

WHEREAS, Eileen Garnett will be fondly remembered and greatly missed by numerous family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Eileen Garnett, a dedicated community volunteer in Annandale; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Eileen Garnett as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 707

*Commending the Kiwanis Club of Winchester.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 100 years, the Kiwanis Club of Winchester has served young people in the community through a wide range of innovative service projects; and

WHEREAS, the Kiwanis Club of Winchester is a chapter of Kiwanis International, one of the largest service organizations in the world with more than 551,000 members of all ages and abilities in more than 80 nations; and

WHEREAS, the first Kiwanis club was established in Detroit, Michigan, in 1915 and the Kiwanis Club of Winchester was formed on June 23, 1922; and

WHEREAS, the members of the Kiwanis Club of Winchester are devoted to improving the world, one child and one community at a time, by continuing to meet human and spiritual needs while also addressing large-scale challenges like disease and poverty; and

WHEREAS, in addition to improving the lives of children in Winchester and Frederick County, the members of the Kiwanis Club of Winchester promote the development of community leaders, provide positive role models, foster



intercultural understanding and cooperation, and build opportunities for fellowship, personal growth, professional development, and community service; and

WHEREAS, the Kiwanis Club of Winchester has had a significant positive impact on the Winchester and Frederick County communities and remains well poised to continue supporting the residents of the region; now, therefore, be it

RESOLVED by the House of Delegates, That the Kiwanis Club of Winchester hereby be commended on the occasion of its 100th anniversary in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Kiwanis Club of Winchester as an expression of the House of Delegates' admiration for the organization's exceptional contributions to children and people in need in Winchester and Frederick County.

### HOUSE RESOLUTION NO. 708

*Commending Carrsville Volunteer Fire Department.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 65 years, the Carrsville Volunteer Fire Department has served and safeguarded the members of the Carrsville community; and

WHEREAS, the Carrsville Volunteer Fire Department was established in 1957 after the Ruritan Club of Carrsville agreed to address the lack of immediate fire service in the area; the department was officially established in April of that year, with Archer Spivey as its first chief; and

WHEREAS, the Carrsville Volunteer Fire Department received a \$200 donation from the Ruritan Club of Carrsville, as well as donations from local resident R.A. Rawls and the Bristow Insurance Agency; new members paid \$30 upon joining to further help with the purchase of equipment; and

WHEREAS, the Carrsville Volunteer Fire Department acquired an abandoned 1941 U.S. Navy International fire apparatus, and members spent many weekends restoring, painting, and equipping it for service; and

WHEREAS, the Carrsville Volunteer Fire Department operated from the Carrsville Community Center until members built a fire house in July and August 1957; after attending training in nearby Franklin the following November, the department was prepared to begin serving its fellow residents; and

WHEREAS, throughout the 1960s, the Carrsville Volunteer Fire Department continued to expand its fire house and modernize its equipment with financial support from Isle of Wight County; in 1976, the Ladies' Auxiliary of the Carrsville Volunteer Fire Department was formed to raise funds and provide additional support; and

WHEREAS, by the mid-1970s, a new generation of firefighters was preparing to serve the community, and the Carrsville Volunteer Fire Department created a junior department for volunteers under the age of 18 to gain valuable experience in controlled situations; and

WHEREAS, today, the highly trained and well-equipped members of the Carrsville Volunteer Fire Department work diligently to safeguard more than 1,000 residents of Carrsville and the surrounding areas, answering more than 350 calls for service each year; now, therefore, be it

RESOLVED by the House of Delegates, That the Carrsville Volunteer Fire Department hereby be commended on the occasion of its 65th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Carrsville Volunteer Fire Department as an expression of the House of Delegates' admiration for the department's legacy of service to the Carrsville community.

### HOUSE RESOLUTION NO. 709

*Commending Meadowlark Botanical Gardens.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, for 10 years, Meadowlark Botanical Gardens in Vienna has promoted Korean arts and culture through its unique Korean Bell Garden; and

WHEREAS, the Korean Bell Garden project was developed as a joint venture between the Korean American Cultural Committee (KACC) and NOVA Parks; and

WHEREAS, after a groundbreaking ceremony in 2010, the Korean Bell Garden was completed in 2012, becoming the first Korean bell pavilion constructed in the eastern United States; and

WHEREAS, the centerpiece bronze bell at the Korean Bell Garden was crafted by one of the finest bell makers in the Republic of Korea and is engraved with Korea's national flower, the rose of Sharon, and Virginia's state flower, the American dogwood, along with other culturally significant symbols; and

WHEREAS, the bell is housed in a hand-built pagoda adorned with Korean artwork and surrounded by replicas of ancient Korean monuments and statues; and

WHEREAS, the Korean Bell Garden is available for rent as a backdrop for weddings and other events, and the site has helped thousands of visitors over the past decade better understand and appreciate Korean culture; and

WHEREAS, Meadowlark Botanical Gardens commemorated the 10th anniversary of the Korean Bell Garden with a special event hosted by the KACC and NOVA Parks on May 21, 2022, featuring Taekwondo demonstrations, traditional music and dancing, and other celebrations of Korean culture; now, therefore, be it

RESOLVED by the House of Delegates, That Meadowlark Botanical Gardens hereby be commended on the occasion of the 10th anniversary of the creation of the Korean Bell Garden; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Meadowlark Botanical Gardens as an expression of the House of Delegates' admiration for the contributions of Meadowlark Botanical Gardens and its Korean Bell Garden to cultural life in Vienna.

### HOUSE RESOLUTION NO. 710

*Commending the cast and crew of Common Grounds?.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, *Common Grounds?*, a documentary series on political polarization in the United States produced by interns at the University of Virginia Center for Politics, won the Best Short Film award at the March 2022 Political Feedback Festival; and

WHEREAS, *Common Grounds?*, which addresses partisan divides in modern American society, was designed, written, and filmed by Thomas Driscoll, Molly Hayes, Miranda Hirts, Sean Piwowar, and Victoria Spiotto and directed by Raed Gilliam; and

WHEREAS, the cast and crew of *Common Grounds?* represent a wide range of political ideologies and worked diligently to discuss and understand one another's beliefs over the course of the production; and

WHEREAS, *Common Grounds?* premiered in November 2021 and is available on the YouTube channel of the University of Virginia Center for Politics; and

WHEREAS, in addition to the Best Short Film award from the Political Feedback Festival, *Common Grounds?* won an award of merit at the March 2022 Best Shorts Competition; and

WHEREAS, *Common Grounds?* was also previously selected as a finalist for Best Documentary Film and Best Cinematography at the Oregon Documentary Film Festival and was a finalist in the Documentary Shorts category at the February 2022 Emerging Artists Film Festival; now, therefore, be it

RESOLVED by the House of Delegates, That Thomas Driscoll, Raed Gilliam, Molly Hayes, Miranda Hirts, Sean Piwowar, and Victoria Spiotto, the cast and crew of *Common Grounds?*, hereby be commended for winning the Best Short Film award at the 2022 Political Feedback Festival; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare copies of this resolution for presentation to the cast and crew of *Common Grounds?* as an expression of the House of Delegates' admiration for their achievements in documentary filmmaking.

### HOUSE RESOLUTION NO. 711

*Commending the Coalition for Smarter Growth.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, the Coalition for Smarter Growth, a nonprofit organization that advocates for sustainable and equitable housing and transit solutions for the Washington, D.C., metropolitan area, is celebrating its 25th anniversary in 2022; and

WHEREAS, the Coalition for Smarter Growth was founded in 1997 by leaders of the Piedmont Environmental Council, the Chesapeake Bay Foundation, the Audubon Naturalist Society, Clean Water Action, the Sierra Club, and other organizations to challenge plans for an outer beltway around Washington, D.C., and to promote sensible approaches to development in the national capital region; and

WHEREAS, the Coalition for Smarter Growth merged with the Washington Regional Network for Livable Communities in 2007 and has since that time operated under the legal auspices of the Piedmont Environmental Council; and

WHEREAS, the staff and supporters of the Coalition for Smarter Growth are committed to increasing affordable housing, improving public transportation and street safety, and realizing the vision of a network of walkable, livable, inclusive, and transit-oriented communities in the Washington, D.C., metropolitan area; and

WHEREAS, to better meet its policy objectives, the Coalition for Smarter Growth has expanded its partnerships to include advocacy groups, business associations, smart growth development firms, and architecture, planning, and transportation consulting firms; and

WHEREAS, in pursuit of its mission, the Coalition for Smarter Growth works closely with both local municipalities in the Commonwealth, Maryland, and Washington, D.C., and regional organizations such as the Metropolitan Washington

Council of Governments, the Northern Virginia Transportation Authority, and the Northern Virginia Transportation Commission; and

WHEREAS, as a result of its success in building coalitions and collaborating with local and regional governments to advance sustainability initiatives, the Coalition for Smarter Growth was awarded the 2017 Regional Partnership Award by the Metropolitan Washington Council of Governments; and

WHEREAS, as a testament to the passion and dedication of the staff of the Coalition for Smarter Growth and the generosity of its supporters, the organization will receive the Changemaker Award from the Washington District Council of the Urban Land Institute in June 2022; now, therefore, be it

RESOLVED by the House of Delegates, That the Coalition for Smarter Growth hereby be commended on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Coalition for Smarter Growth as an expression of the House of Delegates' admiration for the organization's history and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 712

*Commending Kensey Jones.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Kensey Jones, a second-grade teacher at St. Michael's Episcopal School and an animal welfare volunteer, worked with Richmond Animal Care and Control director Christie Chipps Peters to create an innovative project that allowed students to help animals at a rescue shelter find forever homes; and

WHEREAS, while developing a persuasive writing assignment for her class, Kensey Jones was inspired to also help the numerous animals at the Richmond Animal Care and Control shelter that were awaiting adoption; and

WHEREAS, Kensey Jones assigned each student a cat or dog that was currently up for adoption and directed them to create a personalized message and illustration to introduce the animals to potential adopters; and

WHEREAS, Richmond Animal Care and Control posted the students' work on its Facebook page, and thanks to their hard work, 24 of the animals, many of whom had been long-term residents of the shelter or had health issues, were adopted; and

WHEREAS, Kensey Jones and her students were featured on the websites of *Good Morning America* and *Today*, as well as *The Drew Barrymore Show* and *The Kelly Clarkson Show*; and

WHEREAS, due to the success of Kensey Jones' project, Richmond Animal Care and Control, which is the only open admissions shelter in the city and provides emergency care to more than 3,000 animals each year, plans to expand the program to additional schools; now, therefore, be it

RESOLVED by the House of Delegates, That Kensey Jones hereby be commended for her work with her second-grade class to help shelter animals find loving homes; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kensey Jones as an expression of the House of Delegates' admiration for her achievements as an educator and an advocate for animals.

### HOUSE RESOLUTION NO. 713

*Commending Luana Yohannes.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Luana Yohannes, a dedicated educator at Little Run Elementary School, was selected by the Northern Virginia District PTA as a 2022 District Star Volunteer at the Elementary Level for her work to engage with local families and enhance student achievement; and

WHEREAS, Luana Yohannes has helped Little Run Elementary School, an outstanding public primary school located in Fairfax, fulfill its mission to build a community of lifelong learners by fostering social and emotional development and providing all students with rigorous and engaging learning opportunities; and

WHEREAS, Luana Yohannes is a member of the Little Run Elementary School School Age Child Care Program, which provides fun, safe, and educational care for children in kindergarten through sixth grade before school, after school, and during school vacations in most Fairfax County public elementary schools; and

WHEREAS, Luana Yohannes has provided enthusiastic leadership to numerous parent teacher association activities, including by finding qualified and highly motivated members for the Little Run Elementary School PTA Board by serving on the nomination committee for the past two years; and

WHEREAS, Luana Yohannes has served as the cofounder and co-chair of the Little Run Elementary School PTA's diversity committee and helped the school win a \$500 grant to engage with underrepresented members of the community; and

WHEREAS, during the school's Fall Challenge fundraiser, Luana Yohannes encouraged her fellow staff members and parents to volunteer for the event and secured partnerships with local businesses to ensure that the event was a success; and

WHEREAS, Luana Yohannes supported the Little Run Elementary School PTA's World at Little Run spring festival by hosting an international talent and fashion show that highlighted the diversity of the school community; and

WHEREAS, Luana Yohannes' active leadership and generosity exemplify how teachers and school staff members play an integral role in the success of parent teacher associations; now, therefore, be it

RESOLVED by the House of Delegates, That Luana Yohannes hereby be commended on her selection by the Northern Virginia District PTA as a 2022 District Star Volunteer at the Elementary Level; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Luana Yohannes as an expression of the House of Delegates' admiration for her achievements in service to students and their families in Northern Virginia.

### HOUSE RESOLUTION NO. 714

*Commending Vera Anna Lichtenberg.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Vera Anna Lichtenberg, an admired and highly respected founder of the Mason Game & Technology Academy at George Mason University, retired in 2022 after an illustrious and fulfilling 10-year career at the university, during which time she touched the lives of thousands of young people; and

WHEREAS, Vera Anna Lichtenberg was born in the formerly Communist country of Czechoslovakia, now Czech Republic (Czechia), and became a proud citizen of the United States and resident of the Commonwealth in 1968; and

WHEREAS, Vera Anna Lichtenberg earned bachelor's degrees in English and political science from the George Washington University in Washington, D.C.; and

WHEREAS, Vera Anna Lichtenberg recognized that there was a science, technology, engineering, and mathematics (STEM) skills and knowledge gap in Virginia's public school curricula and founded the Mason Game & Technology Academy (MGTA) at George Mason University in 2012 to fill that gap; and

WHEREAS, Vera Anna Lichtenberg single-handedly created the curriculum, management structure, and internal partnerships for the MGTA; she also recruited faculty members and teaching assistants, secured the labs, and marketed the MGTA to Virginia's public schools and teachers; and

WHEREAS, Vera Anna Lichtenberg further identified that students in grades six through 12 were resisting STEM classes in general, so she focused on offering courses using STEM-related programs, such as Python, C++, 3D modeling and animation, 3D game development, and artificial intelligence to design and build games to better entice students to enter STEM careers; and

WHEREAS, Vera Anna Lichtenberg further realized students much more easily learned STEM and STEM-related skills and knowledge through hands-on projects such as designing and building games; and

WHEREAS, Vera Anna Lichtenberg sought and received financial scholarships from the Jack Kent Cook Foundation, the Micron Foundation, Tencent Games, Envision Experience, and the Prince William County Public Schools Education Foundation to offer underserved students free enrollment in the MGTA; and

WHEREAS, as administrator and founding director, Vera Anna Lichtenberg expanded the MGTA at GMU to offer more than 100 STEM courses enrolling over 1,000 students per year; and

WHEREAS, under Vera Anna Lichtenberg's leadership, the MGTA became the largest STEM program in the Commonwealth, coaching thousands of students in STEM in the last decade; and

WHEREAS, Vera Anna Lichtenberg received numerous awards and accolades for her work, including a Virginia School Board commendation and the Prince William County School District Business Partnership of the Year Award in 2015 and 2018 for her support for students and Virginia schools; she was also a finalist in the 16th Annual Women in Technology Leadership Awards in the Small Business/Entrepreneur category; and

WHEREAS, Vera Anna Lichtenberg's passionate, selfless leadership of the MGTA helped to improve and supplement the educational options of children in Northern Virginia, especially the region's disadvantaged and underserved kids; and

WHEREAS, throughout their marriage, Vera Anna Lichtenberg has dedicated her unwavering and endearing love to her husband, Scott; now, therefore, be it

RESOLVED by the House of Delegates, That Vera Anna Lichtenberg hereby be commended on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Vera Anna Lichtenberg as an expression of the House of Delegates' admiration for her contributions to the Commonwealth and commitment to inspiring young people through STEM education.

**HOUSE RESOLUTION NO. 715**

*Commending union organizers at the Huntsman Square Starbucks in Springfield.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Starbucks Workers United, a national movement to organize and support labor unions at Starbucks locations in the United States, has achieved multiple successes on behalf of Starbucks employees in 2021 and 2022; and

WHEREAS, the members of Starbucks Workers United and other union organizers have built upon several previous attempts to form Starbucks unions in the United States since the 1980s, as well as Starbucks union movements in Canada, Chile, and New Zealand; and

WHEREAS, in response to understaffing, undertraining, and changes in working conditions during the COVID-19 pandemic, employees at the Elmwood Avenue Starbucks in Buffalo, New York, voted in late 2021 to form a union, becoming the only unionized Starbucks out of approximately 9,000 locations in the United States at the time; and

WHEREAS, by mid-April 2022, employees at more than 220 Starbucks stores across the country, including stores in the Commonwealth, had expressed interest in holding union elections and at least 20 stores had successfully voted to unionize; and

WHEREAS, many union organizers and members of Starbucks Workers United are longtime Starbucks employees who are highly motivated to enhance working conditions and compensation for their fellow employees and future generations of Starbucks partners; and

WHEREAS, Starbucks union organizers have achieved better working conditions and greater accountability at Starbucks stores across the country, while promoting justice, equality, and a positive vision for the future of all Starbucks employees; and

WHEREAS, the staff members of the Huntsman Square Starbucks in Springfield, including Gailyn Berg, Megan Gaydos, Claire Picciano, and Tim Swicord were inspired by union movements at other Starbucks locations to hold their own union election; and

WHEREAS, the union organizers at the Huntsman Square Starbucks advocated for the need for higher wages, the ability for customers to tip more easily on credit card readers and the Starbucks mobile app, more consistency and transparency in scheduling, and enhanced employee safety measures due to the COVID-19 pandemic, as well as the need for a larger location to accommodate increasing business; and

WHEREAS, while the initial union vote at the Huntsman Square Starbucks was unsuccessful, the union organizers at the Huntsman Square Starbucks intend to seek additional opportunities to enhance benefits and workplace safety for their fellow employees; now, therefore, be it

RESOLVED by the House of Delegates, That Gailyn Berg, Megan Gaydos, Claire Picciano, and Tim Swicord, union organizers at the Huntsman Square Starbucks in Springfield, hereby be commended for their efforts to provide employee representation and enhance labor rights; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare copies of this resolution for presentation to the union organizers at the Huntsman Square Starbucks in Springfield as an expression of the House of Delegates' admiration for their important work on behalf of Starbucks employees.

**HOUSE RESOLUTION NO. 716**

*Commending Eugene Nelson Eddleton.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Eugene Nelson Eddleton of Hanover County, a World War II veteran, longtime civil servant, and devoted father, grandfather, and great-grandfather, celebrates his 100th birthday in 2022; and

WHEREAS, born on June 6, 1922, in Montpelier, Nelson Eddleton was a witness to the countless historic events throughout the 20th century, from the Great Depression and World War II to the Moon landing and the dawn of the Internet age; and

WHEREAS, Nelson Eddleton graduated from Montpelier High School in 1941, then joined many of the other young men of his generation in service to the nation during World War II after he learned of the attack on Pearl Harbor; and

WHEREAS, as a member of the 6th Infantry Division of the United States Army, Nelson Eddleton deployed to the Pacific theater and saw more than 300 days of combat in New Guinea and the Philippines; he subsequently served in the occupation force in Korea after the end of the war; and

WHEREAS, after his honorable discharge, Nelson Eddleton returned to Hanover County and married his beloved wife Grace, with whom he enjoyed 66 years of marriage before her passing; over the years, he has been highly admired for his devotion to his daughter, Joan, and his three grandchildren and 10 great-grandchildren; and

WHEREAS, Nelson Eddleton pursued a long and fulfilling career with the United States Postal Service, retiring in 1985, and has continued to support his fellow veterans as a member of Veterans of Foreign Wars Post 10657 and American Legion Post 244; and

WHEREAS, guided by his deep faith throughout his life, Nelson Eddleton enjoys fellowship and worship with the congregation of Winns Baptist Church; he has touched countless lives through his generosity, kindness, and commitment to service; now, therefore, be it

RESOLVED by the House of Delegates, That Eugene Nelson Eddleton hereby be commended on the occasion of his 100th birthday in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Eugene Nelson Eddleton as an expression of the House of Delegates' admiration for his personal and professional achievements and best wishes.

### HOUSE RESOLUTION NO. 717

*Nominating persons to be elected to general district court judgeships.*

Agreed to by the House of Delegates, June 1, 2022

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected to the respective general district court judgeships as follows:

Peter D. Eliades, Esquire, of Hopewell, as a judge of the Sixth Judicial District for a term of six years commencing July 1, 2022.

Michael J. Holleran, Esquire, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing August 1, 2022.

### HOUSE RESOLUTION NO. 718

*Commending J. Michael and Elizabeth Smith.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, J. Michael Smith, who cofounded Home School Legal Defense Association in 1983 while still in private law practice in California and moved to Virginia with his wife, Elizabeth, in 1987 to help lead the association, will be retiring on July 31, 2022; and

WHEREAS, J. Michael "Mike" Smith was instrumental in making homeschooling possible for millions of children by providing excellent movement leadership for nearly 40 years, helping the homeschooling community grow from thousands of children in the early days to millions today; and

WHEREAS, Mike Smith succeeded cofounder Michael Farris as president of the Home School Legal Defense Association (HSLDA) in 2000 and has helped the association expand beyond legal assistance, including by becoming a major charitable assistance provider, offering educational consultation to thousands of homeschooling families, and creating a youth civics outreach program called Generation Joshua, which trains thousands of homeschooled teenagers in the founding principles of the United States; and

WHEREAS, Mike Smith's dedication to forming deep, long-lasting relationships with homeschool leaders throughout the nation and providing them with encouragement and support has significantly contributed to the success of the homeschooling movement; and

WHEREAS, Mike Smith's commitment to homeschool freedom is international, having also helped establish and lead HSLDA Canada and the Global Home Education Exchange; and

WHEREAS, Mike Smith has a deep and abiding faith in Jesus Christ and has provided more than 30 years of exemplary volunteer leadership to the Loudoun Camp of Gideons International; and

WHEREAS, Mike Smith frequently acknowledges that his beloved wife, Elizabeth, has been instrumental in all of his achievements; and

WHEREAS, Mike and Elizabeth Smith have for many years led Breakthrough, a nonprofit intercessory prayer ministry, carrying on the work of founder Catherine Marshall; and

WHEREAS, Mike Smith has also supported Elizabeth Smith in her work on the board of The Family Foundation of Virginia, which protects parental rights and rights to life, religious freedom, and constitutional government; now, therefore, be it

RESOLVED by the House of Delegates, That J. Michael and Elizabeth Smith hereby be commended for their many personal and professional achievements in service to young people and people in need throughout the Commonwealth on the occasion of his retirement from the Home School Legal Defense Association; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to J. Michael and Elizabeth Smith as an expression of the House of Delegates' admiration for their efforts to make homeschooling possible in the Commonwealth, the United States, and around the world.

**HOUSE RESOLUTION NO. 719**

*Celebrating the life of Mary Viola Roberts Lampkin Brown.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Mary Viola Roberts Lampkin Brown, a beloved member of the Berryville community, who at the age of 110 years and 229 days was the oldest person in Virginia, died on May 21, 2022; and

WHEREAS, born in Hume in 1911, Viola Brown was a witness to history, from World War I, the Great Depression, and World War II, to the Moon Landing and triumphs of the Civil Rights Movement, and through incredible societal and technological changes in the new millennium; and

WHEREAS, in 1918, Viola Brown moved with her family to Webbtown, where at the age of seven, she began working as a domestic service worker at Springfield Farm; and

WHEREAS, Viola Brown married John Strange Lampkin and settled in the Josephine City community south of Berryville where she resided for the rest of her life; she worked as a cook at a home in Berryville, The Knoll, and later returned to work as a cook at Springfield Farm; and

WHEREAS, after John Lampkin's death, Viola Brown married the Reverend Paul Brown, who was the pastor of Zion Baptist Church; she served the church community as a longtime Sunday school teacher and was passionate about supporting young people as manager of the church's youth department; and

WHEREAS, Viola Brown was guided by her deep faith and asked for guidance so she could "do something to help those less fortunate"; she inspired others through her selflessness, commitment to service, spirit of gratitude, and generosity; and

WHEREAS, predeceased by her first husband, John; her second husband, Paul; her son, Shelby; and one grandson, Mike, Viola Brown will be fondly remembered and greatly missed by her daughter, Vonceil; her daughter-in-law, Dorothy; numerous grandchildren, great-grandchildren, and great-great-grandchildren; and many other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Mary Viola Roberts Lampkin Brown, a supercentenarian in Berryville who touched countless lives through her kindness and grace; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Mary Viola Roberts Lampkin Brown as an expression of the House of Delegates' respect for her memory.

**HOUSE RESOLUTION NO. 720**

*Commending Amy LaCrosse.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Amy LaCrosse, a dedicated and highly admired teacher at Rolling Valley Elementary School in Springfield, earned the 2022 Elementary Educator of the Year Award from the Fairfax County Special Education PTA; and

WHEREAS, a highly experienced educator, Amy LaCrosse previously worked as a special education teacher at Bull Run Elementary School, then joined Rolling Valley Elementary School as a multiple disabilities teacher in 2015; and

WHEREAS, since then, Amy LaCrosse has helped Rolling Valley Elementary School fulfill its mission to facilitate, support, and celebrate every student's success; and

WHEREAS, Amy LaCrosse established Rolling Valley Elementary School's enhanced autism program in 2019 and has helped grow the program by seeking best practices and strategies to help meet the needs of individual students; and

WHEREAS, Amy LaCrosse places a high emphasis on student achievement and maintains strong, collaborative working relationships with students' families; she actively seeks out grants and curricula to help students develop life skills and social skills that translate into their everyday lives; and

WHEREAS, Amy LaCrosse was selected as the elementary special education department chair, a new position for elementary schools in Fairfax County Public Schools; and

WHEREAS, Amy LaCrosse has earned the admiration of her colleagues for her creativity, nurturing personality, and passion for service; she has also represented her fellow teachers before the Fairfax County Public Schools leadership team and the Fairfax County School Board; and

WHEREAS, Amy LaCrosse has received many other accolades for her work, including the 2021-2022 First Class Award from the Fairfax County Public Schools Advisory Committee for Students with Disabilities; now, therefore, be it

RESOLVED by the House of Delegates, That Amy LaCrosse hereby be commended on winning the 2022 Elementary Educator of the Year Award from the Fairfax County Special Education PTA; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Amy LaCrosse as an expression of the House of Delegates' admiration for her achievements in service to young people in Fairfax County.

**HOUSE RESOLUTION NO. 721**

*Commending Laura Holsinger.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, in 2022, Laura Holsinger retired as a counselor at Newington Forest Elementary School after a long and distinguished career in education; and

WHEREAS, Laura Holsinger began her career in 1984 at the Our Lady of Mount Carmel School in Philadelphia, then relocated to the Commonwealth where she worked as a teacher in Prince George County from 1985 to 1987; and

WHEREAS, Laura Holsinger joined Fairfax County Public Schools in 1987 and inspired young people to become lifelong learners as a teacher at Mount Vernon Woods Elementary School, Cardinal Forest Elementary School, and Forestdale Elementary School; and

WHEREAS, Laura Holsinger subsequently served as a counselor at Kings Park Elementary School for two years, then became a counselor at Newington Forest Elementary School, where she earned the trust and admiration of her colleagues for her kindness and dedication; and

WHEREAS, Laura Holsinger helped Newington Forest Elementary School fulfill its vision to develop students who are driven by a strong sense of purpose, respect the importance of diversity, and understand how they can make a difference in their communities as moral, conscientious citizens; and

WHEREAS, through her role as a counselor, Laura Holsinger was a direct, positive influence on the lives of young people, providing academic support and helping students build social-emotional competencies in their formative years; and

WHEREAS, guided by her motto "Change Your Thoughts, Change Your Life," Laura Holsinger helped students think positively, build confidence, and achieve their fullest potential; and

WHEREAS, Laura Holsinger worked diligently to ensure that the children in her care felt comfortable, safe, and supported, and she went above and beyond to help students in need receive clothing, food, or other necessities; now, therefore, be it

RESOLVED by the House of Delegates, That Laura Holsinger hereby be commended on the occasion of her retirement as a school counselor; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Laura Holsinger as an expression of the House of Delegates' admiration for her legacy of service to young people in Fairfax County.

**HOUSE RESOLUTION NO. 722**

*Commending Todd Robbins.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Todd Robbins, an outstanding faculty member at Osbourn Park High School, was selected as the Teacher of the Year by Prince William County Public Schools in 2022; and

WHEREAS, a highly experienced educator, Todd Robbins has served in Prince William County Public Schools for 16 years and is currently a Spanish teacher and chair of the world languages department at Osbourn Park High School; and

WHEREAS, Todd Robbins makes use of technology to enrich his curricula and helped integrate OneNote Class Notebook and Canvas blueprint creation systems at Osbourn Park High School; and

WHEREAS, Todd Robbins also implemented the use of virtual reality viewers for students to take virtual field trips around the world and a division-wide literacy program for all students of Spanish and French; and

WHEREAS, Todd Robbins strives to build strong, meaningful connections with his students, helping them to achieve their fullest potential in and out the classroom, and he is a trusted mentor and friend to his colleagues; and

WHEREAS, during the COVID-19 pandemic, Todd Robbins worked diligently to stay engaged with his students and ably adapted to the challenges of virtual and hybrid learning models; now, therefore, be it

RESOLVED by the House of Delegates, That Todd Robbins hereby be commended on his selection as the 2022 Prince William County Public Schools Teacher of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Todd Robbins as an expression of the House of Delegates' admiration for his achievements.



**HOUSE RESOLUTION NO. 723**

*Commending Chris Scott.*

Agreed to by the House of Delegates, June 1, 2022

WHEREAS, Chris Scott, head coach of the Oscar Smith High School football team of Chesapeake, was named the Virginia High School League Class 6 Coach of the Year in 2022; and

WHEREAS, in the 2021-2022 season, Chris Scott led the Oscar Smith High School Tigers to a dominant 13-1 record and the team's second consecutive Virginia High School League (VHSL) Class 6 state title with its win over James Madison High School of Vienna on December 11, 2021; and

WHEREAS, prior to joining the faculty at Oscar Smith High School in 2019, Chris Scott coached at Bishop Sullivan Catholic High School in Virginia Beach for three years and before that at Ocean Lakes High School in Virginia Beach, where he posted an 86-10 record, won five VHSL Beach District titles, and secured a VHSL Class 6 state championship title in 2014; and

WHEREAS, as a testament to Chris Scott's abilities as a mentor and coach, several student-athletes under his tutelage have gone on to compete at the National Collegiate Athletic Association Division I level; and

WHEREAS, through steadfast dedication and an unwavering commitment to his team, Chris Scott has fostered a culture of excellence at Oscar Smith High School that has been integral to the football program's recent success; now, therefore, be it

RESOLVED by the House of Delegates, That Chris Scott, head coach of the Oscar Smith High School football team, hereby be commended for being named the Virginia High School League Class 6 2022 Coach of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Chris Scott as an expression of the House of Delegates' admiration for his achievements and best wishes for his future endeavors.

**HOUSE RESOLUTION NO. 724**

*Commending the Department of General Services Division of Consolidated Laboratory Services.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Department of General Services Division of Consolidated Laboratory Services, Virginia's public health and environmental laboratory, celebrates its 50th anniversary in 2022; and

WHEREAS, the General Assembly established the Division of Consolidated Laboratory Services (DCLS) as the nation's first consolidated laboratory in 1972 by combining laboratories from several Virginia agencies to provide more efficient and cost-effective laboratory services; and

WHEREAS, DCLS performs more than nine million analytical tests every year in order to ensure the safety and health of all Virginians as well as the Commonwealth's food supply and environmental resources; and

WHEREAS, DCLS identifies infectious disease agents of public health significance, including the COVID-19 virus, the Ebola virus, the Zika virus, and seasonal influenza viruses, and conducts advanced characterization of numerous infectious disease agents using classical and advanced molecular subtyping methodologies, such as whole genome sequencing; and

WHEREAS, DCLS is an all-hazards emergency response laboratory that provides 24/7 testing services to hundreds of local, state, and federal agencies regarding unknown or targeted substances potentially associated with acts of terrorism, allowing for the rapid identification of biological, chemical, or radiological agents; and

WHEREAS, DCLS provides a wide variety of environmental testing aimed at ensuring Virginians have access to safe air, drinking water, and recreational waters and emergency testing in support of responses to natural and man-made catastrophes that can impact the environment; and

WHEREAS, DCLS provides testing for local, state, and federal agencies in support of food safety and security and serves as the Mid-Atlantic PulseNet Area Laboratory, one of seven laboratories selected by the U.S. Centers for Disease Control and Prevention to coordinate regional training and laboratory testing response to foodborne illness outbreaks; and

WHEREAS, through the Virginia Newborn Screening Program, DCLS tests every baby born in Virginia for 33 rare genetic and metabolic disorders that may not be visible at birth but could cause serious mental or physical disabilities, and even death, if not diagnosed early; and

WHEREAS, DCLS is responsible for certifying and accrediting commercial and non-commercial laboratories to ensure compliance with federal and state regulations meant to protect public health and the environment; and

WHEREAS, DCLS is recognized as a leader among public health and environmental laboratories across the nation; now, therefore, be it

RESOLVED by the House of Delegates, That the Department of General Services Division of Consolidated Laboratory Services hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Department of General Services Division of Consolidated Laboratory Services as an expression of the House of Delegates' admiration for the laboratory's contributions to the Commonwealth.

**HOUSE RESOLUTION NO. 725**

*Commending Deborah Coblenz.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Deborah Coblenz has served the Jewish community in Fairfax County for more than 35 years at Temple B'nai Shalom since the congregation's establishment in 1986; and

WHEREAS, located in Fairfax Station, Temple B'nai Shalom is a Reform congregation that serves the vibrant and growing Jewish community in Northern Virginia; and

WHEREAS, Deborah Coblenz has played a critical role in the congregation as the tutor for students preparing for their b'nai mitzvah ceremonies, marking their entrance into Jewish spiritual adulthood; and

WHEREAS, during her long tenure with Temple B'nai Shalom, Deborah Coblenz has tutored teenagers and adults in how to read Torah, lead worship services, and aspire to become role models in the community; and

WHEREAS, Deborah Coblenz has worked diligently to meet every student's unique learning needs and ensure that they achieve their fullest potential; and

WHEREAS, demonstrating grace, kindness, patience, and wisdom, Deborah Coblenz has helped many students increase their confidence and speaking abilities and counseled others in patience and humility; and

WHEREAS, Deborah Coblenz has helped prepare every b'nai mitzvah student in the history of Temple B'nai Shalom, and her 1,000th student was called to the Torah on March 26, 2022; and

WHEREAS, Deborah Coblenz has nurtured the spiritual and personal growth of all of her students, and she has been integral to building and sustaining the reputation of Temple B'nai Shalom as a provider of outstanding Jewish education to students of all ages; now, therefore, be it

RESOLVED by the House of Delegates, That Deborah Coblenz hereby be commended for her exceptional contributions to the congregation of Temple B'nai Shalom; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Deborah Coblenz as an expression of the House of Delegates' admiration for her commitment to education and leadership in the Northern Virginia Jewish community.

**HOUSE RESOLUTION NO. 726**

*Celebrating the life of Doris Brunette Harris Watson.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Doris Brunette Harris Watson, a devoted educator and a beloved member of the Newport News community, died on March 25, 2022; and

WHEREAS, Doris Watson was born in Lunenburg County and later moved to Newport News, where she graduated with honors from Collis P. Huntington High School; and

WHEREAS, Doris Watson earned a bachelor's degree from Virginia State College and a master's degree from the Hampton Institute; she then pursued a career in education; and

WHEREAS, over the course of 35 years, Doris Watson mentored and inspired young people as a teacher at Newsome Park Elementary School, Carver Elementary School, Magruder Elementary School, and Dunbar-Erwin Elementary School, as well as Peninsula Business College; and

WHEREAS, Doris Watson enjoyed fellowship and worship with the community as a member of St. Augustine's Episcopal Church for more than five decades; she held many leadership positions, including president of the Progressive Women's Club and manager of the Sunday lunch program for more than 30 years; and

WHEREAS, in recognition of Doris Watson's outstanding contributions to the congregation, St. Augustine's Episcopal Church rededicated its parish hall as the Doris H. Watson Hall in 2019; and

WHEREAS, Doris Watson was also an active and devoted member of the Newport News Alumnae Chapter of Delta Sigma Theta Sorority, Inc.; and

WHEREAS, predeceased by her beloved husband of 56 years, Roger, Doris Watson will be fondly remembered and greatly missed by her son, Roger, Jr., and his family, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Doris Brunette Harris Watson, a highly admired education and community leader in Newport News; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Doris Brunette Harris Watson as an expression of the House of Delegates' respect for her memory.

**HOUSE RESOLUTION NO. 727**

*Commemorating the life and legacy of the Honorable Alfred William Harris.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Honorable Alfred William Harris, a former member of the Virginia House of Delegates who introduced the bill that chartered what is now Virginia State University, died on March 24, 1920; and

WHEREAS, Alfred Harris was born and raised in Fairfax County, at the site of what is today Bull Run Regional Park; and

WHEREAS, the Harris family were descendants of those emancipated in the 1790s by Robert Carter III and allowed to become landowners; and

WHEREAS, Alfred Harris' family relocated to Alexandria during the Civil War; after the war, he attended segregated public schools in the city and worked as a staff member of two local newspapers, then studied law with a local Black attorney; and

WHEREAS, Alfred Harris was admitted to practice law by the Corporation Court of the City of Alexandria in 1880, and he earned a legal degree from Howard University in Washington, D.C., the following year; and

WHEREAS, Alfred Harris became active in the Republican Party and served in local government in Alexandria, then moved to Petersburg, where he practiced law as likely the only Black attorney in the city at the time; and

WHEREAS, desirous to be of further service to the community, Alfred Harris ran for and was elected to the Virginia House of Delegates in 1881; he represented Dinwiddie County for eight years, winning by comfortable margins in each of his elections; and

WHEREAS, during his tenure as a state lawmaker, Alfred Harris offered his leadership to the Committee for Courts of Justice and several other standing committees; he introduced and supported numerous important pieces of legislation to benefit his constituents, increase funding for public schools, and enhance accountability in local and state government; and

WHEREAS, notably, Alfred Harris introduced the bill that created the Virginia Normal and Collegiate Institute, now known as Virginia State University, the Commonwealth's first public college for Black students; he passed legislation to incorporate the Colored Agricultural and Industrial Association of Virginia to sponsor a state fair for Black Virginians; and

WHEREAS, in 1889, Alfred Harris was appointed as a special customs inspector in Newport News and did not seek reelection to the Virginia House of Delegates; he remained active in politics, opposing efforts to force Black Republicans out of party offices in the early 1900s; and

WHEREAS, Alfred Harris and his wife, Ida, raised five sons and one daughter, and he continued living in Petersburg until the time of his passing; now, therefore, be it

RESOLVED by the House of Delegates, That the life and remarkable legacy of the Honorable Alfred William Harris as a champion of education and rights hereby be commemorated on the occasion of the 102nd anniversary of his death; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to descendants of the Honorable Alfred William Harris as an expression of the House of Delegates' admiration for his achievements as a public servant and respect for his memory.

**HOUSE RESOLUTION NO. 728**

*Commending Michael Routhouska.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Michael Routhouska, an accomplished education administrator and principal at William Ramsay Elementary School in Alexandria, was named Principal of the Year by Alexandria City Public Schools in 2022; and

WHEREAS, Michael Routhouska began his career with Alexandria City Public Schools in 2000 as a high school English teacher at the former T.C. Williams High School, teaching world literature and world civics while also serving as staff advisor and editor of the school's literary magazine; and

WHEREAS, Michael Routhouska earned a promotion to assistant principal in 2011 and four years later was installed as the principal at William Ramsay Elementary School, where he has worked tirelessly to foster a supportive and collaborative learning environment for the benefit of both students and faculty; and

WHEREAS, Michael Routhouska's instructional philosophy is focused on equity and the value in recognizing the perspectives, strengths, and needs of all students and stakeholders, cementing a strong foundation for his school's success; and

WHEREAS, Michael Routhouska consistently emphasizes transparency, openness, and accountability in motivating his students and fellow educators to achieve excellence both in and out of the classroom; and

WHEREAS, in preparation for his career as an educator and education administrator, Michael Routhouska earned a bachelor's degree in English language and literature from Nazareth College and a master's degree in educational leadership and administration from George Mason University; and

WHEREAS, with his passionate and personable approach to education, Michael Routhouska has been an effective and inspirational leader of the William Ramsay Elementary School community; now, therefore, be it

RESOLVED by the House of Delegates, That Michael Routhouska, principal at William Ramsay Elementary School, hereby be commended for being named the 2022 Alexandria City Public Schools Principal of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Michael Routhouska as an expression of the House of Delegates' admiration for his contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 729

*Commending Danny Schlitt.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Danny Schlitt, director of the City of Falls Church Recreation and Parks Department, was honored by the Falls Church City Council for his 30 years of service to the City of Falls Church at an event on May 6, 2021; and

WHEREAS, shortly after graduating from Belmont Abbey College with a degree in recreation administration, Danny Schlitt joined the City of Falls Church as a part-time recreation leader in June 1990; and

WHEREAS, as a result of his dedication and professionalism, Danny Schlitt rose through the ranks over the years, being selected to supervise the city's youth and adult sports programs before being named deputy director and ultimately director of the City of Falls Church Recreation and Parks Department; and

WHEREAS, Danny Schlitt was recognized as the Falls Church City Employee of the Year in 1998 for his invaluable and impressive accomplishments in the community and for his able and effective supervision and management of the city's youth and adult sports programs; and

WHEREAS, to advance his skills in the workplace, Danny Schlitt completed programs at North Carolina State University and the Oglebay School of Sports Management and received his certified public manager certificate through a program hosted by the George Washington University Center for Excellence in Public Leadership and the Metropolitan Washington Council of Governments; and

WHEREAS, Danny Schlitt has fostered a positive, community-minded culture at the City of Falls Church Parks and Recreation Department, focusing on ensuring excellent customer service and a healthy and collaborative workplace environment in which his staff can thrive; and

WHEREAS, as both the supervisor for youth and adult sports and as a coach, Danny Schlitt has helped thousands of young players grow and improve their skills and abilities, always while emphasizing the importance of having fun; and

WHEREAS, over his 11 years as director of the Recreation and Parks Department, Danny Schlitt has facilitated several park improvements that have added value to Falls Church and increased the quality of life for its residents; and

WHEREAS, Danny Schlitt's legacy includes new playgrounds at Lincoln Park and Cherry Hill Park, a new synthetic turf field at Larry Graves Park, and major enhancements at West End Park, Howard E. Herman Stream Valley Park, and Big Chimneys Park; and

WHEREAS, whether facilitating games at the employee picnic, leading a construction meeting for a park improvement, or communicating changes to a city parade lineup, Danny Schlitt is always ready and willing to serve and sets a great example for his staff at the Recreation and Parks Department; now, therefore, be it

RESOLVED by the House of Delegates, That Danny Schlitt, director of the City of Falls Church Parks and Recreation Department, hereby be commended for his 30 years of service to the City of Falls Church; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Danny Schlitt as an expression of the House of Delegates' admiration for his contributions to the Commonwealth and best wishes for his continued success.

### HOUSE RESOLUTION NO. 730

*Commending Edgar Lancaster.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Edgar Lancaster, a distinguished law-enforcement officer and lieutenant with the Falls Church Police Department, was honored by the Falls Church City Council for his 30 years of service to the City of Falls Church at an event on May 6, 2021; and

WHEREAS, a former member of the Arlington County Sheriff's Office who graduated from the Northern Virginia Criminal Justice Academy in 1983, Edgar "Ed" Lancaster joined the Falls Church Police Department (FCPD) on April 9, 1990; and

WHEREAS, Ed Lancaster has spent the majority of his career with FCPD as a detective and as a detective supervisor of the agency's Criminal Investigative Unit, leading several major cases, including cases of homicide, racketeering, and sexual assault, many of which involved complex, coordinated criminal networks; and

WHEREAS, as a result of his investigative prowess, consummate professionalism, and breadth of experience and expertise, Ed Lancaster has been deputized in the past by various national agencies, including the United States Marshals Service, the Federal Bureau of Investigation, and the Department of Justice; and

WHEREAS, throughout his career, Ed Lancaster has consistently demonstrated high intelligence, a proficiency for investigations, and exemplary tactical skills, becoming one of the FCPD's leaders for special investigations and project management; and

WHEREAS, at each stage in his career, Ed Lancaster has been a mentor to his fellow law-enforcement officers, ensuring others have the resources and support they need to grow and succeed; and

WHEREAS, in recognition of his efforts on behalf of the FCPD, Ed Lancaster was named the 1992 Officer of the Year and the 2008 Falls Church City Employee of the Year; and

WHEREAS, Ed Lancaster has been vital to Falls Church's response to the COVID-19 pandemic, serving as the FCPD's primary safety officer overseeing the department's operational preparedness and the workforce's health, wellness, and esprit de corps; and

WHEREAS, an honorable veteran who proudly served with the United States Army Special Forces, Ed Lancaster is motivated to carry out his duties each and every day by his patriotism and his love for his country; and

WHEREAS, every holiday season, Ed Lancaster dresses as Santa Claus around the offices of the City of Falls Church and fully embraces the role by coordinating Toys for Tots campaigns for the benefit of local children; and

WHEREAS, with great intelligence, perseverance, and a guardian mindset, Ed Lancaster has made an outsized impact on the City of Falls Church over his three decades with the FCPD; now, therefore, be it

RESOLVED by the House of Delegates, That Edgar Lancaster, lieutenant of the Falls Church Police Department, hereby be commended for his 30 years of service to the City of Falls Church; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Edgar Lancaster as an expression of the House of Delegates' admiration for his contributions to the Commonwealth and best wishes for his continued success.

### HOUSE RESOLUTION NO. 731

*Celebrating the life of Richard Lee Spreder, Sr.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Richard Lee Spreder, Sr., a retired law-enforcement officer who made many contributions to the Virginia Beach community, died on May 26, 2022; and

WHEREAS, Richard "Rick" Lee, Sr., Spreder graduated from Princess Anne High School and served his country as a member of the United States Marines Corps from 1969 to 1995, when he retired with the rank of chief warrant officer 4; and

WHEREAS, in 1972, Rick Spreder began serving his community as a member of the Virginia Beach Police Department; he completed a wide range of assignments over the course of his distinguished tenure and helped established the department's mounted patrol division; and

WHEREAS, Rick Spreder transferred to the Virginia Beach Sheriff's Office in 1997 and served as captain of the Workforce Program until his well-earned retirement in 2008; and

WHEREAS, Rick Spreder continued seeking opportunities to enhance community life, building fellowship with other former students of Princess Anne High School as an active alumnus and volunteering his time and leadership to the Creeds Ruritan Club; and

WHEREAS, outside of his career and his achievements in community service, Rick Spreder completed several rides across the United States on his Harley-Davidson motorcycle and enjoyed fishing for flounder on the Eastern Shore; his talent for cooking was well known throughout the Eastern Shore thanks to his delicious pig roasts at Black Duck Lodge; and

WHEREAS, Rick Spreder enjoyed spending time with family and friends at his vacation home in Carova Beach, North Carolina; and

WHEREAS, Rick Spreder will be fondly remembered and greatly missed by his wife of 51 years, Barbara; his children, Richard, Jr., Paul, and Beth, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Richard Lee Spreder, Sr., a highly admired former police officer in Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Richard Lee Spreder, Sr., as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 732

*Celebrating the life of Lloyd Goddard III.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Lloyd Goddard III, a highly admired public safety officer who touched countless lives in Colonial Heights through his generosity and commitment to service, died on April 2, 2022; and

WHEREAS, a lifelong resident of Colonial Heights, Lloyd Goddard joined the Colonial Heights Volunteer Fire Department on November 21, 1972, and safeguarded the lives and property of local residents in that capacity for decades; and

WHEREAS, in addition to his work with the Colonial Heights Volunteer Fire Department, Lloyd Goddard served the community with the Colonial Heights Police Department and with Petersburg Fire Support 6, an auxiliary unit of the Petersburg Department of Fire, Rescue, and Emergency Services; and

WHEREAS, Lloyd Goddard served as a member of the executive committee of the Virginia State Firefighters Association for more than 31 years; for six years, he also served as the secretary of the Southside Virginia Volunteer Firefighters Association; and

WHEREAS, Lloyd Goddard volunteered his time and wise leadership to many local service organizations and clubs, and he ensured young people were transported safely to and from school as a bus driver for Colonial Heights Public Schools; and

WHEREAS, Lloyd Goddard will be fondly remembered and greatly missed by numerous family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Lloyd Goddard III, a dedicated public safety officer who served the Colonial Heights community with distinction; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Lloyd Goddard III as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 733

*Celebrating the life of Nick Kafantaris.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Nick Kafantaris, a beloved restaurateur who owned Joe's Inn in Richmond for more than four decades, died on November 23, 2020; and

WHEREAS, a native of Greece, Nick Kafantaris immigrated to the United States and settled in Richmond, where he purchased Joe's Inn in the city's Fan District in 1977; and

WHEREAS, Nick Kafantaris helped Joe's Inn maintain its local neighborhood charm while becoming a forerunner in Richmond's renowned dining scene as a destination restaurant with delicious meals inspired by American, Greek, and Italian cuisine; and

WHEREAS, known for his gregarious personality and commitment to excellence in the restaurant business, Nick Kafantaris lived in an apartment above Joe's Inn for much of his life and was happiest when interacting with the members of the community; and

WHEREAS, Joe's Inn remains an institution in downtown Richmond, and the restaurant also opened an additional location in Bon Air to better serve customers from throughout the region; Nick Kafantaris' daughter, Tina, has followed in her father's footsteps and is currently one of the owners of the restaurant; and

WHEREAS, Nick Kafantaris will be fondly remembered and greatly missed by his children, Tina, Athena, Suzanne, Maria, and Michael, and their families; numerous other family members and friends; and the staff and patrons of Joe's Inn; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Nick Kafantaris, a leader in the Richmond restaurant community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Nick Kafantaris as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 734

*Celebrating the life of Anne Albersheim Andrews.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Anne Albersheim Andrews, a longtime civil servant who greatly enhanced the quality of life in Fairfax County through her visionary leadership as a community volunteer and determined advocate for people in need, died on December 8, 2021; and

WHEREAS, Anne Andrews grew up in Asbury Park, New Jersey, and relocated to the Washington, D.C., area after graduating from Bryn Mawr College; she pursued a career as a civil servant, specializing in personnel management for numerous federal agencies, including what is now the U.S. Office of Personnel Management; and

WHEREAS, in 1995, Anne Andrews retired as an executive personnel policy and compensation expert at the United States Department of Defense, from which she earned several awards and accolades for her achievements, including her work to design and implement the Executive Personnel and Management Development Information System; and

WHEREAS, outside of her professional career, Anne Andrews was better known as an indomitable champion and an effective community organizer for access to mental health care and substance abuse treatment, support for the homeless, coordinated community health care resources for people with low income, and other programs to address the essential needs of the most vulnerable Fairfax County residents; and

WHEREAS, Anne Andrews cofounded the Route 1 Task Force for Human Services, now the South County Task Force for Human Services, to foster communication and coordination between Fairfax County agencies and charitable organizations, and she served as a leader of the organization for more than 40 years; and

WHEREAS, Anne Andrews guided efforts to establish the first homeless shelter in Fairfax County, which later became New Hope Housing serving the Richmond Highway Corridor, and she helped create or restore county programs related to maternal nutrition, hypothermia prevention, and substance abuse treatment; and

WHEREAS, Anne Andrews fostered the Program of Assertive Community Treatment, which provides rehabilitation and support services to severely mentally ill individuals for whom traditional clinic-based facilities have been insufficient; and

WHEREAS, Anne Andrews represented the Mount Vernon District on the Fairfax County Health Care Advisory Board; chaired the Southeast Health Planning Task Force, which prevented the closure and relocation of Inova Mount Vernon Hospital; and helped found the Community Health Care Network of Fairfax County, which manages several health clinics and has reduced the need for low-income residents to visit local emergency rooms; and

WHEREAS, Anne Andrews was selected as the 1990 Lady Fairfax for the Mount Vernon District in recognition of her exceptional legacy of contributions to her fellow Fairfax County residents and went on to receive the prestigious recognition of being named 2008 Fairfax County Citizen of the Year; and

WHEREAS, in later life, Anne Andrews was a charter member of the Fairfax County Commission on Aging and was characteristically fully active at the Greenspring Village senior living facility, serving on the resident council and the finance, dining, and health services committees; and

WHEREAS, predeceased by her husband of 48 years, Richard, Anne Andrews will be fondly remembered and greatly missed by her children, Walter, Peter, and Bronwen, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Anne Albersheim Andrews, a tireless community leader who touched countless lives in Fairfax County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Anne Albersheim Andrews as an expression of the House of Delegates' respect for her memory.

#### HOUSE RESOLUTION NO. 735

*Commending Claudia McDowell.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Claudia McDowell, an outstanding social worker at Lynbrook Elementary School in Springfield, was selected as the National School Social Worker of the Year by the School Social Work Association of America in 2022; and

WHEREAS, a native of Fairfax County, Claudia McDowell learned the importance of education and a commitment to community service from her parents, who immigrated to the area from Peru and Cuba; and

WHEREAS, Claudia McDowell has worked at Lynbrook Elementary School for 10 years and has helped the school fulfill its mission to provide a full continuum of educational services and support the academic, social, and emotional growth of students in a safe, nurturing environment; and

WHEREAS, as a Title I school, Lynbrook Elementary School's student body experiences high levels of poverty, and Claudia McDowell has gone above and beyond to help students and their families address immediate needs for food, clothing, stable housing, and health care; and

WHEREAS, in addition to providing a safe haven for students during the school day, Claudia McDowell often delivers supplies and gift cards to students' homes after hours, and as part of a local medical screening committee, she has helped students in need schedule appointments for treatment; and

WHEREAS, as a member of Lynbrook Elementary School's attendance program, Claudia McDowell helps build engagement, accountability, and a sense of belonging among students that has helped reduce chronic absenteeism; and

WHEREAS, after a fire at a local apartment complex, Claudia McDowell launched a crisis team with fellow teachers and staff members, in coordination with the Red Cross and Fairfax County officials, to assist students and their families displaced by the disaster; and

WHEREAS, Claudia McDowell is a trusted mentor and friend to her colleagues, and she was nominated by her peers for the National School Social Worker of the Year Award in recognition of her positive impact on the lives of students, their families, and members of the community; now, therefore, be it

RESOLVED by the House of Delegates, That Claudia McDowell hereby be commended on her selection as the 2022 National School Social Worker of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Claudia McDowell as an expression of the House of Delegates' admiration for her achievements in service to students and their families in Springfield.

**HOUSE RESOLUTION NO. 736**

*Commending Intermont Equestrian at Emory & Henry College.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, in 2022, Intermont Equestrian at Emory & Henry College claimed a national title, with a victory in the Intercollegiate Horse Shows Association Collegiate Cup; and

WHEREAS, as the past two postseasons had been canceled due to the COVID-19 pandemic, the Emory & Henry College Wasps were still defending their championship title from 2019; the team used its time wisely, with members honing their skills in horse care and proper technique to become well-rounded equestrians; and

WHEREAS, the Emory & Henry Wasps finished the multi-day championship event, held at Pennsylvania Farm Show Complex & Expo Center in Harrisburg, with 49 points, three more than the runners up from Miami University; and

WHEREAS, the Emory & Henry Wasps kicked off the first day with top-four finishes from Emilie Fink, Kendall Madison, and Makalyn Williams, and the team's other riders—Madelyn Lowe, Abby McCoy, Laney Stogdale, Maddie Whitley, and Hayden Wilkes—put up strong performances as the tournament progressed; and

WHEREAS, the national championship title is the second for Intermont Equestrian at Emory & Henry College and the fifth overall for the program, which was located at Virginia Intermont College until the institution closed in 2014; and

WHEREAS, the victorious season is a tribute to the skill and hard work of the riders, the dedication of the other team members, the leadership of coaches and staff, and the enthusiastic support of the entire Emory & Henry College community; now, therefore, be it

RESOLVED by the House of Delegates, That Intermont Equestrian at Emory & Henry College hereby be commended on winning the Intercollegiate Horse Shows Association Collegiate Cup; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Heather Richardson, head coach of Intermont Equestrian at Emory & Henry College, as an expression of the House of Delegates' admiration for the team's achievements and best wishes for the future.

**HOUSE RESOLUTION NO. 737**

*Commending the Abingdon High School boys' track and field team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Abingdon High School boys' track and field team won the Virginia High School League Class 3 state championship in 2022; and

WHEREAS, the Abingdon High School Falcons ran away with the state title, scoring in field events, sprints, distances, and relays to win the tournament by 33 points; and

WHEREAS, Abingdon High School senior Dylan Phillips also secured an individual state title with a hard-fought victory in the 1,600-meter run and was a member of the winning 4x800-meter relay team, along with Jack Bundy, Teddy Pillion, and Isaac Thiessen; and

WHEREAS, Rives Boltwood, Jack Bundy, Haynes Carter, Bramley Childress, Teddy Pillion, Greg Poisson, Isaac Thiessen, and James Whitted also earned all-state honors for Abingdon High School; and

WHEREAS, prior to the state track and field meet, the Abingdon Falcons also won the cross country and indoor track and field state titles, an exceptional feat for a single academic year; and

WHEREAS, the victorious season was a tribute to the skill and determination of the student-athletes, the leadership and guidance of coaches and staff, and the enthusiastic support of the entire Abingdon High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Abingdon High School boys' track and field team hereby be commended on winning the Virginia High School League Class 3 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to David Farris, head coach of the Abingdon High School boys' track and field team, as an expression of the House of Delegates' admiration for the team's achievements and best wishes for the future.

**HOUSE RESOLUTION NO. 738**

*Commending Breana Turner.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Breana Turner, a graduate student at Virginia Polytechnic Institute and State University, was crowned the first winner of the Miss Virginia Volunteer Pageant in August of 2021; and



WHEREAS, Breana Turner has used her year of service as Miss Virginia Volunteer to advocate for the importance of women's health across the Commonwealth through her platform RAISE: Advocating for Women's Health; and

WHEREAS, Breana Turner's work reflects her belief that women's health is critical to the health of the broader community and extends past the absence of illness to include women's empowerment; and

WHEREAS, Breana Turner's achievements demonstrate her selfless and thoughtful commitment to the wellness of Virginians, and she has made many contributions to the Commonwealth during her year of service; now, therefore, be it

RESOLVED by the House of Delegates, That Breana Turner hereby be commended for her accomplishments during her year of service as the first Miss Virginia Volunteer; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Breana Turner as an expression of the House of Delegates' admiration for her dedication to the health and wellness of communities throughout Virginia.

### HOUSE RESOLUTION NO. 739

*Commending the Nansemond-Suffolk Academy softball team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Nansemond-Suffolk Academy softball team claimed its third consecutive state title with a victory in the Virginia Independent Schools Athletic Association Division II state championship; and

WHEREAS, the Nansemond-Suffolk Academy Saints defeated the Isle of Wight Academy Chargers by a score of 1-0, with only six hits allowed by both teams in the entire game; and

WHEREAS, Nansemond-Suffolk Academy pitcher Madison Inscoc struck out 10 opposing batters and scored the game's only point, hitting a double in the bottom of the sixth inning that gave freshman Marin McGowan the run; and

WHEREAS, the Nansemond-Suffolk Academy Saints finished the season with an outstanding 24-2 record; and

WHEREAS, the victorious season was a tribute to the skill and determination of all the student-athletes, the leadership and guidance of the coaches and staff, and the passionate support of the entire Nansemond-Suffolk Academy community; now, therefore, be it

RESOLVED by the House of Delegates, That the Nansemond-Suffolk Academy softball team hereby be commended on winning the Virginia Independent Schools Athletic Association Division II state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Nansemond-Suffolk Academy softball team as an expression of the House of Delegates' admiration for the team's achievements.

### HOUSE RESOLUTION NO. 740

*Celebrating the life of the Honorable Joseph Howard Holleman, Jr.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Honorable Joseph Howard Holleman, Jr., a distinguished former Clerk of the Virginia House of Delegates, died on May 19, 2022; and

WHEREAS, a native of Isle of Wight County, Joseph Holleman graduated from Surry High School and continued his education at Hargrave Military Academy and the University of Richmond; and

WHEREAS, Joseph Holleman joined many of the other young men of his generation in service to the nation during World War II as a member of the United States Army Air Corps; and

WHEREAS, Joseph Holleman was inspired to pursue a life of public service by his father, a former member of the Virginia House of Delegates, and was elected to three terms on the Surry Town Council; and

WHEREAS, in 1946, Joseph Holleman began working as an enrolling clerk for the Virginia House of Delegates during sessions of the General Assembly; he subsequently worked as a committee clerk and a minute clerk until 1970, when he was appointed as an assistant clerk; and

WHEREAS, Joseph Holleman became the Clerk of the Virginia House of Delegates in 1974 and served in that capacity for 17 years, offering his expertise to state lawmakers and playing a vital role in the modernization of the office; and

WHEREAS, as clerk, Joseph Holleman oversaw the computerization of the Virginia House of Delegates voting system, streamlined rules and procedures, and was instrumental in the renovation of the House Chamber; and

WHEREAS, Joseph Holleman volunteered his time and leadership to many civic and service organizations; he served as chair of the Surry County Chapter of the American Red Cross, post commander of the Surry American Legion, and master of Jefferson Lodge No. 65 of the Ancient Free and Accepted Masons; and

WHEREAS, predeceased by his wife, Ann, Joseph Holleman will be fondly remembered and greatly missed by his children, Susan, Penelope, Joseph III, Robert, David, Gary, and Timothy, and their families, and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Honorable Joseph Howard Holleman, Jr., a true Virginia gentlemen who left a legacy of contributions to the members of the Virginia House of Delegates during his tenure as clerk; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Honorable Joseph Howard Holleman, Jr., as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 741

*Celebrating the life of Cathleen Gray Howren.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Cathleen Gray Howren, a beloved member of the Smithfield community, died on October 27, 2021; and

WHEREAS, Cathleen Howren worked as a bus driver for Isle of Wight County Schools and ensured generations of students traveled safely to and from school; and

WHEREAS, Cathleen Howren was guided by her deep Christian faith throughout her life, and she inspired others through her kindness, patriotism, passion, and zest for life; and

WHEREAS, Cathleen Howren's greatest joy in life was her beloved family, and she relished every opportunity to spend time with those she loved and impart her wisdom and grace to her daughters, grandchildren, and great-grandchildren; and

WHEREAS, Cathleen Howren will be fondly remembered and greatly missed by her daughters, Brooke and Autumn, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Cathleen Gray Howren; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Cathleen Gray Howren as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 742

*Commending Kathleen Bowman Rader.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Kathleen Bowman Rader has served the Commonwealth for many years through her extraordinary contributions to the field of education; and

WHEREAS, Kathleen Rader worked as the director of development for 10 years and currently serves as the head of school at StoneBridge School in Chesapeake; and

WHEREAS, Kathleen Rader has guided StoneBridge School's capital campaigns to fund a new entrance, renovations, and a new upper school building; and

WHEREAS, during Kathleen Rader's tenure, StoneBridge School has served as a national demonstration school for the Principle Approach method of education; the school has also demonstrated a 99 percent college attendance rate for graduating seniors and has the highest Biblical Worldview Test results in the nation; and

WHEREAS, StoneBridge School's enrollment has expanded to over 400 students in preschool through 12th grade under Kathleen Rader's leadership; and

WHEREAS, Kathleen Rader has fostered a spirit of community, fellowship, and dedication to excellence, encouraging the faculty and staff to be supportive and nurturing in all interactions, communications, and relationships; and

WHEREAS, Kathleen Rader has been guided by her faith throughout her life, and her actions personify the "love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, [and] self-control" of Galatians 5:22-23; now, therefore, be it

RESOLVED by the House of Delegates, That Kathleen Bowman Rader hereby be commended for her educational accomplishments on behalf of young people in Chesapeake; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kathleen Bowman Rader as an expression of the House of Delegates' admiration and gratitude for her service to the Chesapeake community and the Commonwealth.

### HOUSE RESOLUTION NO. 743

*Commending the New Kent High School softball team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the New Kent High School softball team won its first ever state title with a victory in the Virginia High School League Class 3 state championship in 2022; and

WHEREAS, the New Kent High School Trojans, who had reached the state championship game multiple times in team history but never claimed the ultimate prize, bested the Lord Botetourt High School Cavaliers by a score of 3-0; and

WHEREAS, the New Kent Trojans took a two-run lead in the first inning and added one additional run in the sixth inning, while pitcher Morgan Berg recorded 10 strikeouts and allowed only two hits; and

WHEREAS, the New Kent Trojans maintained a strong defense throughout the season and had plenty of offensive firepower, combining to score 23 home runs as a team; and

WHEREAS, the victorious season is a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the entire New Kent High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the New Kent High School softball team hereby be commended on winning the Virginia High School League Class 3 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Maria Bates, head coach of the New Kent High School softball team, as an expression of the House of Delegates' admiration for the team's achievements and best wishes for the future.

#### HOUSE RESOLUTION NO. 744

*Commending the Hanover High School softball team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Hanover High School softball team won the Virginia High School League Class 4 state championship in 2022; and

WHEREAS, the Hanover High School Hawks defeated the previously unbeaten Tuscarora High School Huskies by a score of 1-0; and

WHEREAS, the Hanover Hawks struggled against the Tuscarora Huskies' talented pitcher early in the game, but the Hawks' pitcher, Julia Cuzzo, stymied the Huskies' powerhouse offense, allowing only two hits and striking out four batters; and

WHEREAS, the Hanover Hawks demonstrated pose and perseverance, rallying in the top of the seventh inning to score their lone run and secure the state title; and

WHEREAS, the victorious season is a tribute to the skill and determination of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the entire Hanover High School community; now, therefore, be it

RESOLVED by the House of Delegates, That Hanover High School hereby be commended on winning the Virginia High School League Class 4 state championship in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tommy Evans, head coach of the Hanover High School softball team, as an expression of the House of Delegates' admiration for the team's achievements and best wishes for the future.

#### HOUSE RESOLUTION NO. 745

*Celebrating the life of Wayne Robert Schreiner.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Wayne Robert Schreiner, a respected civil servant and highly admired member of the Annandale community, died on May 31, 2022; and

WHEREAS, Wayne Robert "Bob" Schreiner grew up in Hays, Kansas, where at a young age, he learned the value of hard work and responsibility while working on his family's farm; he later worked in the motel his family owned and learned masonry and carpentry at his father's construction company; and

WHEREAS, a standout athlete in his school years, Bob Schreiner played football, basketball, and baseball at St. Joseph's Military Academy and basketball and baseball at Benedictine College; he briefly played on a minor league farm team affiliated with the Milwaukee Braves and attended two years of seminary school before finishing his education at Fort Hays State University; and

WHEREAS, Bob Schreiner joined the Central Intelligence Agency as a linguist and subsequently became a member of the agency's Foreign Broadcast Information Service (FBIS); he was stationed in Austria, England, and Thailand over the course of his 33-year career and ultimately retired as director of FBIS in 1996; and

WHEREAS, Bob Schreiner received the Distinguished Intelligence Medal and the National Intelligence Distinguished Service Medal in recognition of his outstanding contributions to national security and the intelligence community; and

WHEREAS, after his well-earned retirement, Bob Schreiner's lifelong love of athletics led him to become a member of the Northern Virginia Senior Softball League for many years, including a term as president; and

WHEREAS, Bob Schreiner and his wife, Beth, were accomplished world travelers, having visited 105 countries in North America, South America, the Caribbean, Europe, the Middle East, Africa, Asia, and Oceania; and

WHEREAS, Bob Schreiner authored two books, a memoir about his travels throughout many different wine regions around the world, *From Kansas to Kenya: An Uncommon Road for Wine Lovers*, and a meticulously researched study of the Schreiner family's history and genealogy, *Portrait of a Kansas Family: The Schreiners of Hays*; and

WHEREAS, Bob Schreiner was also a former president of the Sleepy Hollow Woods Civic Association and was an active and dedicated volunteer in his neighborhood who hosted an annual wine and cheese social for his fellow community members; and

WHEREAS, Bob Schreiner will be fondly remembered and greatly missed by his beloved wife of 56 years, Beth; his children, Robert, Laura, and Julia, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Wayne Robert Schreiner; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Wayne Robert Schreiner as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 746

*Celebrating the life of Nelson E. Greene, Jr.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Nelson E. Greene, Jr., an honorable veteran, esteemed businessman and mortician, co-owner and president of Greene Funeral Home in Alexandria, and a beloved member of the Alexandria community, died on March 14, 2022; and

WHEREAS, after graduating from high school, Nelson Greene served his country with honor and distinction as an officer in the United States Army; and

WHEREAS, following his service, Nelson Greene was a member of the first class to complete the mortuary science program at John Tyler Community College and earned a bachelor's degree in biology from the former Virginia State College; and

WHEREAS, Nelson Greene ultimately joined Greene Funeral Home, which was founded in 1954 by his father, Nelson, Sr., and devoted his career to growing and leading the family business and serving families in Northern Virginia in their time of need; and

WHEREAS, dedicated to advancing his industry, Nelson Greene served as both national and chapter president of Epsilon Nu Delta Mortuary Fraternity, in various leadership positions in the National Funeral Directors and Morticians Association, and as president and board chair of the Virginia Morticians' Association; and

WHEREAS, as an adjunct professor in the mortuary science program at the University of the District of Columbia and as a founding member of the Northern Virginia District of the Virginia Morticians' Association, Nelson Greene helped many aspiring morticians and funeral service assistants in his community achieve excellence in their profession; and

WHEREAS, Nelson Greene gave generously of his time to various civic organizations, including Omega Psi Phi Fraternity, Inc., the Departmental Progressive Club, of which he served as president, and the Alexandria City School Board, on which he served for three terms; and

WHEREAS, guided throughout his life by his faith, Nelson Greene enjoyed worship and fellowship with his community at Meade Memorial Episcopal Church in Alexandria, where he served as a licensed lay preacher and as a junior warden and senior warden at various times; and

WHEREAS, joined recently in death by his daughter, Nina, Nelson Greene will be fondly remembered and dearly missed by his loving wife, Donita; his children, Nelson III, Derrick, and James, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Nelson E. Greene, Jr., a cherished member of the Alexandria community whose unwavering commitment to serving others impacted countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Nelson E. Greene, Jr., as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 747

*Celebrating the life of Matthew Ian Gillette.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Matthew Ian Gillette, an esteemed pastor, devoted community advocate, and beloved member of the Alexandria community, died on October 19, 2021; and

WHEREAS, a native of Manassas, Matthew "Matt" Ian Gillette graduated from Longwood University and was later ordained as a minister; and

WHEREAS, Matt Gillette served as director and missions and small group pastor of National Community Church in Potomac Yard, where he provided members with uplifting and edifying spiritual counsel and various opportunities for outreach; and

WHEREAS, as co-chair of Hunger Free Alexandria and a founder of the Alexandria Gratitude Table at Meade Memorial Episcopal Church in Alexandria, Matt Gillette worked tirelessly to end hunger in his community; and

WHEREAS, Matt Gillette's indefatigable efforts in service to others included his role as executive director of Restore Alexandria and as volunteer coordinator with Casa Chirilagua; and

WHEREAS, Matt Gillette was a regular presence in the Lynhaven neighborhood of Alexandria, where he made his home and would walk often, and at events of the Del Ray Business Association, which he served for many years; and

WHEREAS, Matt Gillette was guided throughout his life by his motto to "sow seeds every day," demonstrating the power of servant leadership as he consistently strove to make a positive impact in the lives of others; and

WHEREAS, Matt Gillette will be fondly remembered and dearly missed by his loving wife of 14 years, Abby; his daughter, Elizabeth; his mother, Diane; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Matthew Ian Gillette, a cherished member of the Alexandria community whose generosity and dedication to service touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Matthew Ian Gillette as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 748

*Celebrating the life of Nina Greene.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Nina Greene, an accomplished businesswoman, longtime member of Greene Funeral Home in Alexandria, and beloved member of the Alexandria community, died on March 24, 2022; and

WHEREAS, after graduating from the former T.C. Williams High School in Alexandria in 1985, Nina Greene enjoyed an accomplished career in health care as an emergency medical technician, cardiopulmonary resuscitation instructor, and occupational health administrator; and

WHEREAS, Nina Greene later joined Greene Funeral Home in Alexandria, which was founded by her grandfather Nelson Greene, Sr., in 1954, contributing immensely to the success of the family business for more than 25 years; and

WHEREAS, as a funeral service assistant and in other capacities with Greene Funeral Home, Nina Greene provided considerate and conscientious care to families as they mourned and paid their respects to their departed loved ones; and

WHEREAS, an active and engaged member of the community, Nina Green recently concluded a term on the board of directors of Senior Services of Alexandria, helping many citizens in Alexandria maintain their independence while aging with dignity; and

WHEREAS, in recognition of the Greene Funeral Home's legacy of service to the Alexandria community, Nina Greene, her father, Nelson, Jr., and her grandfather, Nelson, Sr., were honored at Senior Services of Alexandria's Generation to Generation Gala in 2013; and

WHEREAS, guided by her faith, Nina Greene was a lifelong member of Meade Memorial Episcopal Church in Alexandria, where she was part of the Gospel Truth Choir and the Outreach Committee and served with the vestry and as a youth group chaperone; and

WHEREAS, Nina Greene inspired and uplifted many through her involvement with the Women's Ecumenical Choir of Alexandria and the Order of the Daughters of the King; and

WHEREAS, preceded in death by her father, Nelson, Jr., Nina Greene will be fondly remembered and dearly missed by her brothers, Nelson III, Derrick, and James; her stepmother, Donita; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Nina Greene, a cherished member of the Alexandria community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Nina Greene as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 749

*Celebrating the life of Kyriacos Euripides.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Kyriacos Euripides, an honorable veteran, esteemed restaurateur, beloved member of the Alexandria community, and embodiment of the American Dream, died on April 14, 2022; and

WHEREAS, raised in Cyprus, Kyriacos "Charlie" Euripides graduated from the Pancyprian Gymnasium in South Nicosia, the oldest high school still in operation on the island, before emigrating to the United States in 1951; and

WHEREAS, while working as a dishwasher in a restaurant in Alexandria owned by his uncle, Charlie Euripides took citizenship classes at the former George Washington High School in Del Ray and studied engineering at George Washington University; and

WHEREAS, Charlie Euripides then courageously served with the United States Navy during the Korean War, including two years aboard the USS *New Jersey* in the gunnery division and two years with the USS *Salem*, the flagship of the United States Sixth Fleet; and

WHEREAS, following his service, Charlie Euripides partnered with his uncle to run the Royal Café in Alexandria and later guided the restaurant's move to its present location on North St. Asaph Street and its transformation into the Royal Restaurant; and

WHEREAS, over the years, Charlie Euripides' restaurant was popular with local politicians, law-enforcement officers, and judges, while attracting prominent clientele such as former President Gerald Ford, Bob Hope, Sammy Davis, Jr., and Elizabeth Taylor; and

WHEREAS, a tireless worker who was at his restaurant seven days a week, Charlie Euripides also managed paper route delivery for the *Alexandria Gazette* and started Royal Catering, which would grow into one of the most successful catering operations in the region; and

WHEREAS, a member of American Legion Post 24 in Old Town Alexandria since 1958, Charlie Euripides selflessly cared for his fellow veterans in need, providing countless meals and other forms of assistance, including Thanksgiving Day banquets that were open for all to attend; and

WHEREAS, an active and engaged member of his community, Charlie Euripides was involved with the Alexandria Lions Club and generously supported various organizations in the area, including The Salvation Army, Del Ray Artisans, the Alexandria Police Foundation, the Boy Scouts of America, and local church youth groups; and

WHEREAS, in recognition of his years of service to his community, Charlie Euripides was the recipient of myriad accolades and awards, including the Distinguished Patriot Award from the Alexandria Chamber of Commerce in 2016 and a Living Legends of Alexandria honor in 2018; and

WHEREAS, preceded in death by his loving wife, Barbara, Charlie Euripides will be fondly remembered and dearly missed by his children, Charles "Gus", Michael, and Chris, and their families, and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Kyriacos Euripides, a cherished member of the Alexandria community whose life and legacy are an inspiration to all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Kyriacos Euripides as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 750

*Celebrating the life of Jack Allyn Swicegood.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Jack Allyn Swicegood of Rocky Mount, a highly admired public safety officer, passed away on March 6, 2022; and

WHEREAS, Jack Swicegood was a Tennessean by birth and graduated from Greenback High School; he later met and married Ruth Phillips of Russell County and moved to Franklin County in 1960; and

WHEREAS, Jack Swicegood served his country in the United States Navy and the Army National Guard; and

WHEREAS, Jack Swicegood was employed by the Lane Furniture Company for 35 years and after retiring, he and Ruth opened the Rainbow Child Care Center in 1985, which he operated with Ruth for more than 25 years before retiring again; and

WHEREAS, Jack Swicegood joined the Franklin County Rescue Squad in 1967; he volunteered with the department for over 42 years, answering calls for 40 of them, day and night, and as with many volunteers missed many birthdays, anniversaries, and holidays to serve and safeguard members of the community; and

WHEREAS, Jack Swicegood also taught several training courses throughout the Commonwealth, including courses in first aid (the Green Book), CPR, EMT certification, emergency vehicle operations (emergency vehicle operator course), vehicle extrication, and farm machinery extrication, passing onto his students the skills needed to save lives and do so in a safe manner; and

WHEREAS, Jack Swicegood also helped form five separate rescue squads throughout Franklin County: Ferrum, Glade Hill, Snow Creek, Fork Mountain, and Cool Branch; he convinced the members of his own squad to sell Snow Creek a fully equipped ambulance for the price of one dollar; and

WHEREAS, Jack Swicegood formed the Franklin County Junior Volunteer Rescue Squad, and after a number of years as the county junior squad advisor, he became a state officer as junior squad advisor to the Virginia Association of Volunteer Rescue Squads (VAVRS) for 18 years; and

WHEREAS, Jack Swicegood also donated time by holding a number of leadership roles in the Franklin County Rescue Squad; his longest tenure was 15 years as the squad's chaplain; and

WHEREAS, Jack Swicegood also served as the VAVRS District 6 vice president for two years, was the junior squad advisor and served on the EMS Council for four years, and was elected as a life member of District 6 in 2014; he also was a member of the Franklin County Rescue Squad Auxiliary, serving for 14 years and receiving a life membership; and

WHEREAS, Jack Swicegood was elected by his peers in the VAVRS as a life member of the association in September 1989 in recognition of his work at the state level, and in September 2010, he was elected by his colleagues to the VAVRS Rescue Hall of Fame; and

WHEREAS, Jack Swicegood lived by the mantra of Commitment, Dedication, and Benevolence, which were the core tenets of his personality for the 91 years of his life; and

WHEREAS, Jack Swicegood was a member of the Rocky Mount First Church of the Brethren for over 40 years and served as the Sunday school superintendent for 20 years; and

WHEREAS, preceded in death by his daughter Diane, Jack Swicegood will be fondly remembered and greatly missed by his loving wife, Ruth; his children, Gary and Mollie, and their families; and many other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the House of Delegates hereby notes with great sadness the loss of Jack Allyn Swicegood, a respected leader in the Rocky Mount and Franklin County communities and in the emergency medical services community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Jack Allyn Swicegood as an expression of the House of Delegates' respect for his memory and his contributions to Franklin County and the Commonwealth.

### HOUSE RESOLUTION NO. 751

*Commending the Clarke County High School boys' soccer team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Clarke County High School boys' soccer team secured its first state title in more than 15 years, finishing an undefeated season with a victory in the Virginia High School League Class 2 state championship in 2022; and

WHEREAS, the Clarke County High School Eagles defeated the previously unbeaten Glenvar High School Highlanders by a score of 3-2 to claim the state crown; and

WHEREAS, when the Glenvar Highlanders scored first, the Clarke County Eagles faced a deficit for the first time all season but maintained their composure and reclaimed the lead before halftime with two goals from sophomore Cal Beckett; and

WHEREAS, senior Caleb Neiman added a third goal for the Clarke County Eagles early in the second half, but their opponents kept up the pressure, and the team withstood a determined attack before sealing the victory; and

WHEREAS, throughout the season, the Clarke County Eagles dominated the flow of their games with unparalleled passing and possession skills and outscored opponents 163-8; the team's 24-0 record likely represents the most ever wins in a single season in program history; and

WHEREAS, the state championship victory is a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the dedicated support of the entire Clarke County High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Clarke County High School boys' soccer team hereby be commended on winning the Virginia High School League Class 2 state championship in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Clarke County High School boys' soccer team as an expression of the House of Delegates' admiration for the team's achievements and best wishes for the future.

### HOUSE RESOLUTION NO. 752

*Commending Evelyn Stearns Turner.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Evelyn Stearns Turner, a highly admired community leader in Deltaville, celebrates her 100th birthday in 2022; and

WHEREAS, born on July 14, 1922, Evelyn Turner grew up in Richmond and married Andrew Lucius Turner of Roanoke in 1943; she became an active volunteer in Roanoke and touched countless lives through her commitment to service; and

WHEREAS, among her many endeavors, Evelyn Turner supported education as a member of the Jefferson High School Advisory Commission and as a trustee at Ferrum College, and she supported the musical arts as a board member of the Roanoke Symphony Orchestra; and

WHEREAS, Evelyn Turner enhanced community life in Roanoke through her work with the Mill Mountain Garden Club and the Roanoke Civic Center Advisory Board and as chair of the Jubilee Belles for the Roanoke Diamond Jubilee; and

WHEREAS, during her many years in Roanoke, Evelyn Turner volunteered her time with the Junior League of Roanoke Valley, the Miss Virginia Pageant, and the Pastoral Counseling Center of Roanoke Board; she also enjoyed fellowship and worship with the congregation of First Baptist Church, where she was a member of the Women's Missionary Union; and

WHEREAS, after relocating to Deltaville in later life, Evelyn Turner offered her leadership to the Deltaville Civic Association, oversaw the production of a book about local history, and helped establish the Deltaville Maritime Museum and Holly Point Nature Park; and

WHEREAS, the fountain at the Deltaville Maritime Museum and its Turner Lecture Series were named after Evelyn Turner and her husband in recognition of their legacy of contributions to the museum; and

WHEREAS, Evelyn Turner has imparted her kindness, generosity, and grace to her children Sydney Marshall, Drew, Leslie, Courtney, Bob, and Mike, as well as to her 10 grandchildren and five great-grandchildren; now, therefore, be it

RESOLVED by the House of Delegates, That Evelyn Stearns Turner, a vibrant member of the Deltaville community, be commended on the occasion of her 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Evelyn Stearns Turner as an expression of the House of Delegates' admiration for her lifetime of achievements and service to her community.

### HOUSE RESOLUTION NO. 753

*Commending Charlie Conner.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, for more than 27 years, Charlie Conner has ably served the residents of and visitors to the Commonwealth in various roles with the Department of Conservation and Recreation and Virginia State Parks; and

WHEREAS, Charlie Conner began working at Douthat State Park as a seasonal employee in 1990 while he was a high school student; in 1995, he became a full-time park ranger, in which capacity he managed interpretative programs, worked with volunteers, and oversaw park maintenance operations; and

WHEREAS, after his promotion to chief ranger in 2004, Charlie Conner attended Cardinal Criminal Justice Academy and has since performed numerous law-enforcement roles within Virginia State Parks, including the coordination of criminal and special investigations, agency accreditation, and the establishment of a new communications center; and

WHEREAS, in 2005, Charlie Conner was promoted to park manager at Douthat State Park and worked diligently to preserve the historical legacy of the park, which was one of the six original Virginia State parks constructed by the Civilian Conservation Corps in the 1930s; and

WHEREAS, during his tenure as park manager of Douthat State Park, Charlie Conner led efforts to reopen the Green Pastures Recreation Area, an outpost of the park located in the George Washington and Jefferson National Forests, that was originally built for use by Black visitors during the segregation era; and

WHEREAS, Charlie Conner recently served as interim chief of public safety and law enforcement for Virginia State Parks, guiding the park system through the COVID-19 pandemic and historic increases in visitation; he was promoted to deputy chief for public safety and law enforcement on May 10, 2022; now, therefore, be it

RESOLVED by the House of Delegates, That Charlie Conner hereby be commended for his exceptional service to the Commonwealth with the Department of Conservation and Recreation and Virginia State Parks; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Charlie Conner as an expression of the House of Delegates' admiration for his achievements.

### HOUSE RESOLUTION NO. 754

*Commending Alexandra Bender.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Alexandra Bender, an accomplished educator and first grade teacher at John Adams Elementary School in Alexandria, was named the Teacher of the Year by Alexandria City Public Schools in 2022; and

WHEREAS, in preparation for her career as an educator, Alexandra Bender earned a bachelor's degree in elementary education from Indiana State University and a master's degree in curriculum and instruction from George Mason University; and

WHEREAS, Alexandra Bender has been a teacher at John Adams Elementary School for nine years, where she effectively deploys positive behavior reinforcement and other strategies to motivate her students to excel both in and out of the classroom; and

WHEREAS, with great consideration for the abilities and circumstances of her students, Alexandra Bender has helped those who are English language learners meet their grade-level objectives and those who are recent refugees from Afghanistan adjust to their new classroom and home; and

WHEREAS, Alexandra Bender regularly engages her students through arts integration techniques that she learned while training with the Kennedy Center's Changing Education Through the Arts program; and

WHEREAS, Alexandra Bender promotes inclusivity and openness in her classroom, fostering a learning environment in which students feel supported and cared for each and every day; and



WHEREAS, Alexandra Bender is a passionate advocate for her students who works tirelessly to ensure they have the tools and resources they need to succeed, embodying the highest virtues of the education profession and serving as an inspiration to all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Alexandra Bender, beloved first grade teacher at John Adams Elementary School, hereby be commended for being named the 2022 Alexandria City Public Schools Teacher of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Alexandra Bender as an expression of the House of Delegates' admiration for her contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 755

*Commending the Alexandria City High School Titan Robotics team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Alexandria City High School Titan Robotics team won the Chairman's Award at the FIRST Chesapeake District Championship in Hampton on April 9, 2022; and

WHEREAS, the Titan Robotics team, also known as Team 5587, is one of thousands of robotics competition teams competing globally through the organization FIRST (For Inspiration and Recognition of Science and Technology) and was created to inspire young people to be science and technology leaders and innovators; and

WHEREAS, hundreds of teams and more than 2,000 students from Virginia, Washington, D.C., and Maryland competed at the FIRST Chesapeake District Championship; and

WHEREAS, the Titan Robotics team earned the Chairman's Award for its commitment to excellence, outstanding community outreach, and perseverance to maintain Alexandria City High School's robotics program and science, technology, engineering, and mathematics (STEM) learning for younger students during the COVID-19 pandemic; and

WHEREAS, the Chairman's Award is considered the league's most prestigious prize and is reserved for the team that reflects sustained excellence and impact within the FIRST community, as well as in its home community and region; and

WHEREAS, as Chairman's Award winners, the Titan Robotics team qualified for the FIRST World Championship, the largest international youth robotics competition, and competed against talented teams from around the world; and

WHEREAS, the successful season is a tribute to the hard work and determination of the students, the leadership and guidance of mentors and advisors, and the passionate support of the Alexandria City High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Alexandria City High School Titan Robotics team hereby be commended for receiving the 2022 Chairman's Award at the FIRST Chesapeake District Championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Alexandria City High School Titan Robotics team as an expression of the House of Delegates' admiration for the team's achievements.

### HOUSE RESOLUTION NO. 756

*Commending Rene Paschal.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Rene Paschal, the principal of Samuel W. Tucker Elementary School in Alexandria, received the National Distinguished Principal Award from the Virginia Association of Elementary School Principals in 2022; and

WHEREAS, the National Distinguished Principal Award program recognizes outstanding primary school administrators like Rene Paschal for their commitment to high academic standards, students' achievement in and out of the classroom, and work to build a positive and supportive environment for faculty, students, parents, and all members of the school community; and

WHEREAS, with more than three decades of experience as a teacher, counselor, and school administrator, Rene Paschal is highly admired by his peers in the education profession and has touched countless lives through his visionary leadership; and

WHEREAS, Rene Paschal joined Samuel W. Tucker Elementary School in 2011 and has cultivated a culture of excellence to ensure that students receive a strong foundation for lifelong learning; he oversees a diverse student body of more than 700 learners with a wide range of backgrounds; and

WHEREAS, Rene Paschal played a vital role in the acquisition of a United States Department of Education 21st Century Community Learning Centers grant for an after-school program in 2017 and has cultivated a culture of excellence to ensure that students achieve their fullest potential; and

WHEREAS, Rene Paschal created a unique extended learning program during the intersession period of Samuel W. Tucker Elementary School's modified school calendar that has enhanced students' opportunities for science, technology, engineering, and mathematics instruction; and

WHEREAS, among the many awards and accolades received throughout his career, Rene Paschal previously earned the 2019 Principal of the Year Award from Alexandria City Public Schools; now, therefore, be it

RESOLVED by the House of Delegates, That Rene Paschal hereby be commended on his selection as the recipient of the National Distinguished Principal Award in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Rene Paschal as an expression of the House of Delegates' admiration for his achievements in service to young people in Alexandria.

### HOUSE RESOLUTION NO. 757

*Commending the Honorable David V. Williams.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Honorable David V. Williams has served the Martinsville-Henry County community as a judge for the 21st Judicial Circuit of Virginia since 1990; and

WHEREAS, the Honorable David Williams earned an associate's degree from Patrick Henry Community College in 1975, a bachelor's degree from the Virginia Polytechnic Institute and State University in 1977, and a law degree from the Campbell University School of Law in 1980; and

WHEREAS, in 1980, the Honorable David Williams was admitted to practice before the United States District Court for the Western District of Virginia; and

WHEREAS, the Honorable David Williams served the City of Martinsville as Assistant Commonwealth's Attorney from 1980 to 1982; and

WHEREAS, the Honorable David Williams served Henry County as Commonwealth's Attorney from 1985 to 1990; and

WHEREAS, the Honorable David Williams was sworn in as judge for the 21st Judicial Circuit of Virginia in 1990 and served in that capacity until his retirement in 2022; and

WHEREAS, the Honorable David Williams dedicated himself to upholding the Constitution of the United States, the Constitution of Virginia, and the Code of Virginia and served the residents of the Commonwealth with the utmost dedication, integrity, and distinction; and

WHEREAS, the Honorable David Williams operated an efficient, impartial, and trustworthy courtroom to serve the residents of Henry County and the region; and

WHEREAS, the Honorable David Williams has earned the respect and appreciation of the members of communities in Henry County, Martinsville, and throughout the Commonwealth, all of whom wish him a fulfilling retirement; now, therefore, be it

RESOLVED by the House of Delegates, That the Honorable David V. Williams hereby be commended on the occasion of his retirement as a judge; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Honorable David V. Williams as an expression of the House of Delegates' admiration for his outstanding service to the Martinsville-Henry County community and the Commonwealth.

### HOUSE RESOLUTION NO. 758

*Commending the Reverend Dr. Todd C. Davidson.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Reverend Dr. Todd C. Davidson, the senior pastor of First Baptist Church of Hampton, has served communities throughout the Commonwealth and the nation as an inspirational faith leader, educator, and advocate for those in need; and

WHEREAS, Todd Davidson holds bachelor's and doctoral degrees from The College of William & Mary and a master of divinity degree from the Samuel DeWitt Proctor School of Theology at Virginia Union University; and

WHEREAS, Todd Davidson previously worked as an assistant professor of early childhood, elementary, and special education at the School of Education of Norfolk State University, where he remains an adjunct faculty member; and

WHEREAS, Todd Davidson lived and worked in Ohio for several years and served as pastor of Antioch Baptist Church in Cleveland after he answered the call to the ministry and was ordained in 1998; and

WHEREAS, Todd Davidson returned to the Commonwealth and served as senior pastor of Piney Grove Baptist Church in Virginia Beach for 16 years, then joined the First Baptist Church of Hampton and has helped the church community grow in faith and number during his tenure; and

WHEREAS, from 2006 to 2012, Todd Davidson served on the Virginia Beach City Public School Board, and he currently serves on the School Advisory Board for Peninsula Catholic High School, the Advisory Board of Phoebus High School, and the Board of Directors for Smart Beginnings Virginia Peninsula; and

WHEREAS, Todd Davidson has offered his leadership and insights to the NAACP and Kappa Delta Pi, Inc., a national honor society for professional educators, and he is a sought-after speaker and guest lecturer at schools, churches, and other events; and

WHEREAS, among many awards and accolades for his commitment to community service and social justice, Todd Davidson has received a Human Rights Award from the Virginia Beach Human Rights Commission, the ACT-SO Award for Oratory from the NAACP, the Samuel DeWitt Proctor School of Theology Award for Academic Excellence, and the Young Professional of the Year Award from the Urban League of Hampton Roads; and

WHEREAS, Todd Davidson enjoys the love and support of his wife, Laia, in all his endeavors, and he has imparted his kindness, generosity, and passion for servant leadership to his daughters, Cana, Reaiah, and Ajah; now, therefore, be it

RESOLVED by the House of Delegates, That the Reverend Dr. Todd C. Davidson hereby be commended for his service as senior pastor of First Baptist Church of Hampton and his contributions to the community as an educator and civic leader; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Reverend Dr. Todd C. Davidson as an expression of the House of Delegates' admiration for his personal and professional achievements.

### HOUSE RESOLUTION NO. 759

*Commending Sue Christenson.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, in 2022, Sue Christenson was named as the Fairfax County Foster Parent of the Year by the Metropolitan Washington Council of Governments; and

WHEREAS, the Fairfax County Department of Family Services offers temporary, safe, nurturing, and stable homes to children and helps their families by connecting them to necessary resources; the agency oversees nearly 200 children in foster care across the county, 37 percent of whom are under the age of five; and

WHEREAS, Sue Christenson and her late husband, Chris, decided that they wanted to be foster parents after witnessing the difficult living conditions of one of her son's friends; and

WHEREAS, Sue Christenson first became a foster parent after her retirement as a psychiatric nurse; and

WHEREAS, over the course of more than a decade, Sue Christenson has cared for 23 children in a wide age group, providing critical support until they transition to permanent homes through adoption or reunification with family members; and

WHEREAS, Sue Christenson has taken a particular interest in fostering medically fragile infants, using her background in health care to provide a safe and healthy upbringing for those most in need; and

WHEREAS, Sue Christenson goes above and beyond to enhance the lives of her foster children, and once even traveled outside the country to help reunite a child with relatives; she often stays in touch with her former foster children through regular visits and has built strong relationships with their families; and

WHEREAS, Sue Christenson has been integral to Fairfax County's efforts to provide children with loving and caring temporary homes; and

WHEREAS, Sue Christenson was nominated for the award by staff members of the Fairfax County Department of Family Services in recognition of her incredible generosity, compassion, and commitment to service; now, therefore, be it

RESOLVED by the House of Delegates, That Sue Christenson hereby be commended on being named the 2022 Fairfax County Foster Parent of the Year by the Metropolitan Washington Council of Governments; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sue Christenson as an expression of the House of Delegates' admiration for her legacy of service to young people in Fairfax County.

### HOUSE RESOLUTION NO. 760

*Commending Sung Lee.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Sung Lee, a master police officer with the Fairfax County Police Department and the longtime school resource officer for Washington Irving Middle School in West Springfield, retired on June 17, 2022; and

WHEREAS, Sung Lee joined the Fairfax County Police Department in 2000 and worked as a patrol officer based at the West Springfield District Station until he became the school resource officer at Washington Irving Middle School; and

WHEREAS, among many achievements during his career as a police officer, Sung Lee helped locate a missing child in 2003 and two other missing children in 2011; he was trained as a member of the Crisis Intervention Team and conducted vital crime prevention outreach programs, particularly in Korean communities; and

WHEREAS, Sung Lee further enhanced the law-enforcement capabilities of the Fairfax County Police Department and other agencies in the region by serving as a Korean language translator for several high-profile cases; he also represented the department on a trip to the Republic of Korea; and

WHEREAS, Sung Lee was a trusted member of the Washington Irving Middle School family for 16 years and enabled the school to fulfill its mission to help students grow academically, behaviorally, socially, and emotionally and build a strong foundation for lifelong learning; and

WHEREAS, in his capacity as school resource officer, Sung Lee was a reassuring presence at Washington Irving Middle School and worked diligently to create a safe and secure learning environment; and

WHEREAS, known for his humility and outstanding work ethic, Sung Lee went above and beyond to help with any task at Washington Irving Middle School, ensuring that students had the resources and support they needed to succeed; and

WHEREAS, Sung Lee built strong relationships based on mutual respect with students, teachers, and staff members and helped develop school safety procedures and initiatives in a collaborative manner; and

WHEREAS, Sung Lee helped create better vehicle access to drop-off and pickup points, resulting in an enhanced traffic flow that was both more efficient and safer for teachers, students, and parents; and

WHEREAS, in 2021, Sung Lee was nominated for the Fairfax County Citizens' Police Academy Alumni Association's Officer of the Year Award in recognition of his legacy of contributions to the residents of Fairfax County; and

WHEREAS, Sung Lee served the Fairfax County Police Department and the Washington Irving Middle School community with the utmost integrity, fairness, receptiveness, courtesy, and dedication and set a fine example for his fellow law-enforcement officers as well as school faculty and staff members; now, therefore, be it

RESOLVED by the House of Delegates, That Sung Lee hereby be commended on the occasion of his retirement as school resource officer of Washington Irving Middle School; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sung Lee as an expression of the House of Delegates' admiration for his legacy of service to young people in West Springfield as a protector and mentor.

### HOUSE RESOLUTION NO. 761

#### *Commending West Springfield Little League.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, for 50 years, West Springfield Little League has supported young people in the Fairfax County community by providing opportunities for athletic development and personal achievement; and

WHEREAS, West Springfield Little League was founded by Charlie Clark and a group of local parents and community leaders in 1972, and more than 41,000 children have learned teamwork, cultivated good sportsmanship, and honed their skills in the history of the league; and

WHEREAS, West Springfield Little League serves children between the ages of five and 13 in multiple levels, including 5T, T-Ball, 1A, AA, AAA, Majors, and Intermediate; and

WHEREAS, West Springfield Little League has organized individual seasons with more than 1,200 children playing baseball on 100 teams at various age levels, and the league remains one of the largest and most well-organized youth baseball organizations in the region; and

WHEREAS, in 1993, West Springfield Little League formed a Challenger Division for children, teenagers, and adults with physical and intellectual challenges that earned national accolades and has grown into one of the largest such programs in the world; and

WHEREAS, West Springfield Little League previously renovated and now plays at the fields at the Burke School Byron Avenue Park; the league has maintained its fields through the support of parents and volunteers, Fairfax County agencies, and organizations like the Davis Elkins Foundation; and

WHEREAS, West Springfield Little League annually hosts Byronfest, a popular festival and cookout that brings the community and family members together to support players as they participate in fun activities and skills competitions, such as a home run derby; and

WHEREAS, West Springfield Little League makes an extraordinary effort to collaborate with local businesses, building support by engaging with them in many sponsorship partnerships, and supporting those businesses through spirit days and other opportunities; and

WHEREAS, West Springfield Little League teams have consistently achieved success over the years, winning 45 District 9 championships and six state titles in 17 state championship appearances; and

WHEREAS, throughout its history, West Springfield Little League has fulfilled its mission through the hard work and generosity of volunteer managers, coaches, umpires, concession stand workers, and board members, as well as the dedicated support of parents, fans, and local businesses; now, therefore, be it

RESOLVED by the House of Delegates, That West Springfield Little League hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to West Springfield Little League as an expression of the House of Delegates' admiration for the organization's contributions to young people in Fairfax County.

### HOUSE RESOLUTION NO. 762

*Celebrating the life of William Freeman Crump.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, William Freeman Crump, a highly admired educator and patron of the musical arts in the Tidewater area, died on June 3, 2022; and

WHEREAS, William Crump grew up in Newport News, where he attended local public schools, and he earned a bachelor's degree in public school music with an emphasis on vocal music from Virginia State College; and

WHEREAS, during his time at Virginia State College, William Crump worked in the dining hall to help support his family and played tenor saxophone as a member of the marching, concert, and jazz bands and sang solos with the acapella choir and the school orchestra; and

WHEREAS, William Crump joined the first four-year Reserve Officers' Training Corps program at Virginia State College; after graduation, he was commissioned as a first lieutenant in the United States Army and served the nation during the Korean War; and

WHEREAS, after his active duty military service, William Crump toured for two years with the distinguished De Paur Infantry Chorus as a tenor soloist understudy, then returned to the Commonwealth to begin a 30-year career as a music teacher and choral director at schools in Portsmouth and Hampton; and

WHEREAS, William Crump touched the lives of countless students in elementary school, middle school, and high school by helping them cultivate their talents and develop a fond appreciation for the musical arts; he received numerous awards and accolades for his work and also earned a master's degree from Hampton Institute; and

WHEREAS, outside of his teaching career, William Crump continued to offer his skills as a soloist and his leadership as a director to local theaters; he founded the Orpheon Male Chorus for high school and college students and the Voices of Tidewater mixed chorus for local adults and served on the boards of the Peninsula Civic Opera and EduStar Performing Arts Society; and

WHEREAS, William Crump enjoyed fellowship and worship with the community as a member of Carver Memorial Presbyterian Church in Newport News, where he was a deacon, elder, chair of the men's ministry, and director of the music ministry and senior choir; and

WHEREAS, William Crump will be fondly remembered and greatly missed by his wife of 63 years, Barbara; his children, Karla and Mark, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of William Freeman Crump; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of William Freeman Crump as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 763

*Celebrating the life of Daniela Bonilla Betancourt.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Daniela Bonilla Betancourt, a vibrant young member of the Alexandria and Fairfax County communities, died on June 3, 2022; and

WHEREAS, seeking new opportunities, Daniela Betancourt had moved to the United States from Honduras with her mother; and

WHEREAS, Daniela Betancourt was a sophomore at Annandale High School, where she was an eager learner and a friend to many; and

WHEREAS, Daniela Betancourt was engaged in her community and worked part time at a local restaurant to help support her family; and

WHEREAS, Daniela Betancourt brought joy to others through her kindness and compassion; she will be fondly remembered and greatly missed by her mother, Mibel, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Daniela Bonilla Betancourt, a beloved member of the Annandale High School community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Daniela Bonilla Betancourt as an expression of the House of Delegates' respect for her memory.

**HOUSE RESOLUTION NO. 764**

*Commending the Christopher Newport University softball team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Christopher Newport University softball team won the National Collegiate Athletic Association Division III National Championship in Salem on May 31, 2022; and

WHEREAS, the Christopher Newport University Captains brought home the program's first national title in style, going undefeated in the Coast-to-Coast Athletic Conference Tournament and the Women's College World Series (WCWS), including a sweep of Trine University in the best of three championship series; and

WHEREAS, five members of the Christopher Newport Captains were named to the All NCAA Championship Team, including freshman pitcher Kate Alger; sophomore outfielder Katie Currin; senior first basewoman Kaitlyn Hasty, who was named as the National Fastpitch Coaches Association Division III National Player of the Year; freshman pitcher Jamie Martin, who was named as the championship's Most Outstanding Pitcher; and senior catcher Bailey Roberts, who was named as the championship's Most Outstanding Player; and

WHEREAS, the Christopher Newport Captains closed out the season with a program record 24 consecutive wins, finishing with an impressive 47-1 overall record; the team was ranked as the number one Division III softball team in the country going into the WCWS; and

WHEREAS, the Christopher Newport Captains were led by a group of seven seniors with a combined total of more than 1,000 appearances over their college careers; and

WHEREAS, head coach Keith Parr has created a dominant softball program at Christopher Newport University since taking the reins in 2003, leading the team to 15 straight NCAA Tournament appearances and picking up his 600th win on the road to the program's first national championship; and

WHEREAS, as of mid-June 2022, the members of the Christopher Newport University softball team have more than 30 individual end-of-season awards combined; and

WHEREAS, with a historic combination of talent, skill, and determination, the Christopher Newport Captains persevered and finished ahead of the 62-team field; now, therefore, be it

RESOLVED by the House of Delegates, That the Christopher Newport University softball team hereby be commended for winning the 2022 National Collegiate Athletic Association Division III National Championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Keith Parr, head coach of the Christopher Newport University softball team, as an expression of the House of Delegates' admiration for the team's historic victory.

**HOUSE RESOLUTION NO. 765**

*Commending Must Love Cats Rescue.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Must Love Cats Rescue, a local, nonprofit, no kill rescue shelter in Bristow has found loving homes for numerous cats and kittens in Prince William County; and

WHEREAS, Must Love Cats Rescue is run by compassionate, caring individuals who strive to help animals to the best of their ability; the organization provides shelter to dozens of homeless cats every day; and

WHEREAS, Must Love Cats Rescue has assisted the greater Prince William County community by opening their doors to all cats and families needing assistance; and

WHEREAS, Must Love Cats Rescue has removed many cats from unsafe conditions and works diligently to find new homes for these animals; the shelter also raises money for animals in need of surgeries or additional care; and

WHEREAS, Must Love Cats Rescue searches for homes for cats by observing their needs and personalities and creating Facebook posts about the cats in the shelter and what kind of homes would best suit them; now, therefore, be it

RESOLVED by the House of Delegates, That Must Love Cats Rescue hereby be commended for its service to animals and families with pets in Prince William County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Must Love Cats Rescue as an expression of the House of Delegates' admiration for the organization's achievements.

**HOUSE RESOLUTION NO. 766**

*Celebrating the life of Judy Guse-Noritake.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Judy Guse-Noritake, a champion for environmental issues who worked diligently to increase access to green spaces and public parks for all residents of Alexandria, died on June 1, 2022; and

WHEREAS, Judy Guse-Noritake was born in Montana and began to cultivate her passion for the great outdoors at a young age; throughout her life, she was an avid backpacker and cross-country skier and an occasional mountaineer; and

WHEREAS, Judy Guse-Noritake held a bachelor's degree in architecture and a master's degree in wildland recreation management from the University of Idaho; she began her career in architecture in the Western United States then offered her insights on environmental policy to numerous government entities and environmental organizations; and

WHEREAS, Judy Guse-Noritake staffed the Energy Subcommittee of the United States House Committee on Interior and Insular Affairs in the early 1990s, then became the national policy director of a conservation organization; in 2001, she joined The Wilderness Society and participated in a program to preserve wild areas in the Potomac watershed; and

WHEREAS, in 2005, Judy Guse-Noritake returned to architecture when she became a managing principal of Noritake Associates; she was licensed in several states, accredited as a Leadership in Energy and Environmental Design professional, held a certification from the National Council of Architectural Registration Boards, and was a member of the American Institute of Architects; and

WHEREAS, Judy Guse-Noritake was an active member of the Alexandria Park and Recreation Commission for nearly 20 years, including many terms as chair, and she was a regular attendee at countless other city commission meetings and hearings, where she advocated for park space and better amenities for mixed-income communities; and

WHEREAS, Judy Guse-Noritake inspired others through her passionate activism and worked diligently to build consensus on environmental and development policies that would benefit her fellow community members; she was a driving force behind multiple successful city master plans and initiatives related to parks, public athletic fields, community gardens, trails, and other amenities; and

WHEREAS, Judy Guse-Noritake shaped the growth of the Old Town North and Braddock neighborhoods, and she helped establish the Braddock Metro Citizens' Coalition; she was also appointed to two terms on the Board of Forestry and served two terms on the board of the Potomac Heritage National Scenic Trail; and

WHEREAS, guided by her personal philosophy that open space and recreational resources are a critical aspect of good design principles and responsible development, Judy Guse-Noritake touched countless lives in Alexandria, helped preserve the natural environment, and made the city a better place to live, work, and visit; and

WHEREAS, Judy Guse-Noritake will be fondly remembered and greatly missed by her husband, Rae; her daughter, Alana, and her family; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Judy Guse-Noritake, a pillar of the Alexandria community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Judy Guse-Noritake as an expression of the House of Delegates' respect for her memory.

**HOUSE RESOLUTION NO. 767**

*Celebrating the life of the Reverend Dr. William A. Jenkins.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Reverend Dr. William A. Jenkins, a respected spiritual leader and highly admired member of the Richmond community, died on May 25, 2022; and

WHEREAS, William Jenkins was a former interim pastor of First Antioch Baptist Church and guided the congregation through significant growth in faith and number during his tenure; and

WHEREAS, William Jenkins cultivated a legacy of excellence built upon his deep and abiding faith and touched countless lives in the Richmond area through his commitment to outreach and servant leadership; and

WHEREAS, William Jenkins inspired others through his generosity, compassionate advocacy, and wise spiritual insights; and

WHEREAS, William Jenkins will be fondly remembered and greatly missed by his devoted wife of 31 years, Margaret, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Reverend Dr. William A. Jenkins; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Reverend Dr. William A. Jenkins as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 768**

*Celebrating the life of the Reverend Juliann E. Minor.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Reverend Juliann E. Minor, a highly admired faith leader and beloved mother, grandmother, mentor, and friend in Richmond, died on June 3, 2022; and

WHEREAS, Juliann Minor was an active and engaged member of the Richmond community who greatly enhanced the quality of life in the area; and

WHEREAS, Juliann Minor touched many lives through her work as a pastor and brought joy to others through her grace, compassion, and joyful spirit; and

WHEREAS, predeceased by her husband, George, and one son, Reginald, Juliann Minor will be fondly remembered and greatly missed by her children, Walter, George, Jr., Kevin, David, Eric, Shelia, Brenda, Claudia, and Carolyn, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Reverend Juliann E. Minor, a vibrant member of the Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Reverend Juliann E. Minor as an expression of the House of Delegates' respect for her memory.

**HOUSE RESOLUTION NO. 769**

*Celebrating the life of William Edward Hicks, Sr.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, William Edward Hicks, Sr., of North Chesterfield, a devoted husband, father, and grandfather and a highly admired community leader, died on April 2, 2022; and

WHEREAS, William "Bill" Edward Hicks touched countless lives through his kindness, generosity, and commitment to service; he was a trusted mentor to many individuals in the field of corrections and offered his insights to the National Association of Blacks in Criminal Justice; and

WHEREAS, as a member of the Richmond City School Board, Bill Hicks worked diligently to ensure students had the resources and support they needed to be successful in and out of the classroom, and he built strong relationships with faculty, administrators, and parents to facilitate collaborative leadership; and

WHEREAS, a man of deep and abiding faith, Bill Hicks enjoyed fellowship and worship with the community at First Union Baptist Church, where he served as a deacon and a Sunday school teacher; and

WHEREAS, Bill Hicks will be fondly remembered and greatly missed by his wife, Jerline; his children, Betty, Angela, Wayne, Tracey, William, Jr., and Latoya, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of William Edward Hicks, Sr.; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of William Edward Hicks, Sr., as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 770**

*Celebrating the life of Henry L. Christian.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Henry L. Christian of Varina, a dedicated farmer who touched countless lives through his commitment to providing fresh, nutritious food to the Richmond community, died on May 8, 2022; and

WHEREAS, Henry Christian was a regular presence at Richmond's 17th Street Farmers' Market and was one of the few Black produce vendors at the market; and

WHEREAS, Henry Christian had a unique impact on the Shockoe Bottom neighborhood and the Richmond area as a whole by working diligently to ensure that local residents had access to fresh fruits and vegetables; and

WHEREAS, Henry Christian lived his deep and abiding faith through his generous actions and brought joy to others through his kindness and compassion; and

WHEREAS, Henry Christian will be fondly remembered and greatly missed by numerous family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Henry L. Christian, a well-known member of the Richmond community; and, be it



RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Henry L. Christian as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 771

*Celebrating the life of the Reverend Dr. Robert L. Pettis, Sr.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, the Reverend Dr. Robert L. Pettis, Sr., an inspirational spiritual leader who strengthened the Richmond community, died on March 19, 2022; and

WHEREAS, Robert Pettis was born in San Francisco, California, and began to cultivate his deep faith at a young age; he was licensed to preach at the age of 16 and was ordained in 1976; and

WHEREAS, Robert Pettis graduated from Ravenswood High School in East Palo Alto and attended what is now Biola University; he subsequently earned a bachelor's degree from Bishop College in Texas, where he was an active member of Concord Baptist Church; and

WHEREAS, Robert Pettis relocated to the Commonwealth and enrolled at the Samuel DeWitt Proctor School of Theology of Virginia Union University, from which he earned a master of divinity degree; he was later selected as one of the first candidates for the institution's doctor of divinity program and graduated with a focus in church management; and

WHEREAS, in May 1981, Robert Pettis became the pastor of Zion Baptist Church and helped the church grow in faith and number during more than 40 years of leadership; he established a wide range of ministries and outreach programs that helped empower and uplift members of the congregation and the wider community; and

WHEREAS, in 2016, Robert Pettis joined the Parliamentary Law Club of Richmond and served as president of the organization for three years, as well as recently serving as chaplain; and

WHEREAS, Robert Pettis will be fondly remembered and greatly missed by his wife of 39 years, Palma; his children, Nichole, Ashley, and Robert, Jr.; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Reverend Dr. Robert L. Pettis, Sr., a highly admired faith leader in Richmond; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Reverend Dr. Robert L. Pettis, Sr., as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 772

*Celebrating the life of Bishop Pauline L. Stokes.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Bishop Pauline L. Stokes of Richmond, an inspirational faith leader and a beloved mother, grandmother, mentor, and friend, died on May 10, 2022; and

WHEREAS, Pauline Stokes was an active and engaged member of the Richmond community who greatly enhanced the quality of life in the area; and

WHEREAS, Pauline Stokes touched many lives through her work as a pastor and brought joy to others through her wisdom, kindness, and charismatic spirit; and

WHEREAS, Pauline Stokes will be fondly remembered and greatly missed by her daughter, Priscilla, and her family, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Bishop Pauline L. Stokes; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Bishop Pauline L. Stokes as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 773

*Commending the Varina High School boys' basketball team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Varina High School boys' basketball team won the Virginia High School League Class 4 state championship in March 2022; and

WHEREAS, the Varina High School Blue Devils defeated the King's Fork High School Bulldogs in the semifinals to advance to the state final, held at the Siegel Center in Richmond; and

WHEREAS, the Varina Blue Devils defeated the Loudoun County High School Captains in spectacular fashion, winning by a score of 61-35 to claim the state crown; and

WHEREAS, Alphonzo Billups led the Varina Blue Devils with 15 points in the state final, followed by Christian Carden with 14 points; and

WHEREAS, the victorious season was a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the enthusiastic support of the entire Varina High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Varina High School boys' basketball team hereby be commended on winning the 2021-2022 Virginia High School League Class 4 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Varina High School boys' basketball team as an expression of the House of Delegates' admiration for the team's achievements.

### HOUSE RESOLUTION NO. 774

*Commending the James Madison High School softball team.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, on June 11, 2022, the James Madison High School softball team of Vienna won the Virginia High School League Class 6 state championship; and

WHEREAS, during the regular season, the James Madison High School Warhawks dominated the Concorde District and entered the playoffs with only one loss; and

WHEREAS, in the state final, the James Madison Warhawks defeated the Cosby High School Titans by a score of 7-6; and

WHEREAS, the James Madison Warhawks finished the season with an impressive 16-1 record; and

WHEREAS, the victory was a tribute to the skill and dedication of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the entire James Madison High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the James Madison High School softball team hereby be commended on winning the Virginia High School League Class 6 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the James Madison High School softball team as an expression of the House of Delegates' admiration for the team's achievements.

### HOUSE RESOLUTION NO. 775

*Commending Carol Jameson.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, after more than 33 years developing and overseeing programs that provide access to health care for underserved communities in Northern Virginia, Carol Jameson retired as chief executive officer of HealthWorks in June 2022; and

WHEREAS, throughout her career, Carol Jameson has focused on identifying and addressing factors such as stigma and poverty that often impede access to and utilization of health care services; and

WHEREAS, Carol Jameson began her career in 1987 as Inova Fairfax Hospital's first dedicated HIV/AIDS social worker and spent decades working with and on behalf of people with HIV or AIDS; and

WHEREAS, in 2011, Carol Jameson became executive director of the Jeanie Schmidt Free Clinic, in which capacity she worked closely with community leaders, government officials, and funding partners to assess how to move the organization forward; and

WHEREAS, Carol Jameson's visionary leadership resulted in the Jeanie Schmidt Free Clinic merging with HealthWorks and opening the first community health center in Herndon in 2012; and

WHEREAS, Carol Jameson enabled HealthWorks to become Fairfax County's partner in community health in the western part of the county, and the organization provided critical support to local residents during the COVID-19 pandemic; now, therefore, be it

RESOLVED by the House of Delegates, That Carol Jameson hereby be commended on the occasion of her retirement as chief executive officer of HealthWorks; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Carol Jameson as an expression of the House of Delegates' admiration for her outstanding leadership in the health care field and contributions to communities in Northern Virginia.

## HOUSE RESOLUTION NO. 776

*Celebrating the life of Norman Yoshio Mineta.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Norman Yoshio Mineta, a former congressman who became the first person of East Asian descent to serve as a presidential Cabinet secretary, then oversaw the creation of the Transportation Security Administration as the longest-serving United States Secretary of Transportation, died on May 3, 2022; and

WHEREAS, Norman Mineta grew up in San Jose, California, and was the child of Japanese immigrants who were barred from becoming citizens of the United States by the Immigration Act of 1924; during World War II, he and his family were held at an internment camp in Wyoming for 18 months, along with many other Japanese Americans; and

WHEREAS, Norman Mineta earned a degree in business administration from the University of California, Berkeley, then joined the United States Army and served as an intelligence officer in Korea and Japan; and

WHEREAS, after his honorable military service, Norman Mineta returned to San Jose and worked in his father's insurance business until he was appointed to a vacant seat on the San Jose City Council in 1967; he was subsequently elected as vice mayor by his peers on the council after winning an election to his first full term; and

WHEREAS, in 1971, Norman Mineta became the first Japanese American mayor of a major American city when he was elected as the 59th mayor of San Jose with more than 60 percent of the vote in every precinct; as mayor, he worked to address traffic congestion and ended the city's longtime policy of rapid growth by annexation; and

WHEREAS, desirous to be of further service, Norman Mineta ran for and was elected to the United States House of Representatives in 1974, and he represented California's 13th Congressional District, which was later renumbered as the 15th District, from 1975 to 1995; he and his family resided in Alexandria for much of that time; and

WHEREAS, Norman Mineta helped author the Intermodal Surface Transportation Efficiency Act of 1991 and supported additional funding for the Federal Aviation Administration; he was also a guiding force behind the Civil Liberties Act of 1988, which granted reparations to Japanese Americans who had been detained by the government during World War II; and

WHEREAS, Norman Mineta served as the chair of the House Committee on Public Works and Transportation, and he cofounded the Congressional Asian Pacific American Caucus and served as its inaugural chair; and

WHEREAS, Norman Mineta was appointed by President William Jefferson Clinton as the United States Secretary of Commerce in 2000; the following year, he was appointed by President George W. Bush as the United States Secretary of Transportation, making him only the fourth person ever to serve in the Cabinet of a president from a different political party; and

WHEREAS, in one of the defining moments of his career, Norman Mineta gave the unprecedented order to immediately ground all flights over the United States on September 11, 2001; and

WHEREAS, in the months after the attacks, Norman Mineta's extensive knowledge of the intermodal system and deep understanding of the complex laws related to the nation's roadways, railways, and airports made him uniquely suited to quickly address security flaws; and

WHEREAS, Norman Mineta was tasked with establishing the Transportation Security Administration under the United States Department of Transportation, and the new agency had replaced private security companies at the nation's airports within one year thanks in large part to his steady and effective leadership; and

WHEREAS, in 2006, Norman Mineta stepped down as United States Secretary of Transportation to pursue other opportunities in the private sector; he ultimately joined the public relations firm Hill & Knowlton as vice chair and settled in Edgewater, Maryland; and

WHEREAS, among many awards and accolades, Norman Mineta received the Presidential Medal of Freedom, the Wright Brothers Memorial Trophy, the Golden Plate Award of the American Academy of Achievement, and the Grand Cordon, Order of the Rising Sun from the emperor of Japan; and

WHEREAS, the Norman Y. Mineta San Jose International Airport and Mineta Transportation Institute, a government-funded transportation research institute at San Jose State University, were both named in his honor; and

WHEREAS, Norman Mineta will be fondly remembered and greatly missed by his wife, Deni; his children, David and Stuart, and stepchildren, Robert and Mark, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Norman Yoshio Mineta, a distinguished public servant and a trailblazing leader for Asian Americans; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Norman Yoshio Mineta as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 777**

*Celebrating the life of Joseph Buford Tompkins, Jr.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, Joseph Buford Tompkins, Jr., an esteemed attorney, devoted civic activist, and beloved member of the Fairfax County community, died on April 15, 2022; and

WHEREAS, born in Vinton, Joseph "Joe" Buford Tompkins earned a bachelor's degree from Washington & Lee University in 1971 and both a juris doctor degree from Harvard Law School and a master's degree in public policy from the Harvard Kennedy School in 1975; and

WHEREAS, over his distinguished law career, Joe Tompkins worked in the Criminal Division of the United States Department of Justice from 1979 to 1982, including as deputy chief of its Fraud Section from 1980 to 1982, and was also a practicing attorney at Sidley Austin LLP for more than 40 years, both before and after his tenure at the United States Department of Justice; and

WHEREAS, as a result of his outstanding work as a litigator, Joe Tompkins has been recognized by many prestigious publications, including *The Legal 500 United States*; *Super Lawyers*, where he has been listed as a "Top Rated Lawyer" for several years; and *Continental Who's Who*, which identified him as a Pinnacle Lifetime Professional in the field of law; and

WHEREAS, Joe Tompkins was an engaged member of the community and a dedicated civic activist, serving as a poll greeter for years at the Hollin Hall precinct in Fairfax County and regularly hosting the annual Mount Vernon Democrats' ice cream social in his front yard; and

WHEREAS, Joe Tompkins took great joy in spending time with his family and was a generous mentor who quietly and selflessly supported the success and well-being of his colleagues and friends; and

WHEREAS, guided throughout his life by his faith, Joe Tompkins enjoyed worship and fellowship with his community at Aldersgate United Methodist Church in Fort Hunt, where he served as a leader on the endowment committee; and

WHEREAS, Joe Tompkins was integral to the establishment and oversight of Aldersgate United Methodist Church's Not Too Far From Here Fund, a charitable grant program designed to provide housing, medical care, and other emergency services to local individuals and families in need; and

WHEREAS, Joe Tompkins will be fondly remembered and dearly missed by his children, Graves and Forbes, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Joseph Buford Tompkins, Jr., an accomplished attorney and cherished member of the Fairfax County community whose service and integrity were an inspiration to all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Joseph Buford Tompkins, Jr., as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 778**

*Commending Frank Sarfo.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, in 2022, Frank Sarfo, a custodian at Little Run Elementary School, received the Fairfax County Public Schools Outstanding Employee Award in the Outstanding School-Based Operational Employee category; and

WHEREAS, presented by the Fairfax County Public Schools Department of Human Resources, the Outstanding Employee Awards recognize school faculty and staff members for their work to create and demonstrate the best instructional and support practices; Frank Sarfo was one of 71 finalists out of more than 730 employees eligible for the awards; and

WHEREAS, the Outstanding School-Based Operational Employee category covers support staff members with at least one year of full-time or part-time employment in their current position at a public school in Fairfax County; Frank Sarfo was nominated for the award by his peers at Little Run Elementary School, and he won at the pyramid level and in Region 5 to advance as a divisionwide finalist; and

WHEREAS, Frank Sarfo, affectionately known as Mr. Frank, is a reassuring and joyful presence at Little Run Elementary School, and he inspires students and fellow employees alike with his unfailing positivity and contagious smile; and

WHEREAS, in addition to his regular duties as custodian, Frank Sarfo engages with students to build trust and understanding and often provides mentorship and support to students in need; and

WHEREAS, Frank Sarfo sets an excellent example for young people and has built strong cooperative relationships with his fellow employees, enabling Little Run Elementary School to develop confident, caring lifelong learners; and

WHEREAS, Frank Sarfo and the 11 other honorees received their Outstanding Employee Awards at a special ceremony at the George Mason Center for the Arts on June 8, 2022; now, therefore, be it

RESOLVED by the House of Delegates, That Frank Sarfo hereby be commended on winning a Fairfax County Public Schools Outstanding Employee Award; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Frank Sarfo as an expression of the House of Delegates' admiration for his outstanding service to young people in Fairfax County.

### HOUSE RESOLUTION NO. 779

*Nominating persons to be elected to the Supreme Court of Virginia.*

Agreed to by the House of Delegates, June 17, 2022

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected to the Supreme Court of Virginia as follows:

The Honorable Thomas P. Mann, of Fairfax, as a justice of the Supreme Court of Virginia for a term of twelve years commencing August 1, 2022.

The Honorable Wesley G. Russell, Jr., of Henrico, as a justice of the Supreme Court of Virginia for a term of twelve years commencing July 1, 2022.

### HOUSE RESOLUTION NO. 780

*Nominating a person to be elected to the Court of Appeals of Virginia.*

Agreed to by the House of Delegates, June 17, 2022

RESOLVED by the House of Delegates, That the following person is hereby nominated to be elected to the Court of Appeals of Virginia as follows:

The Honorable Kimberley S. White, of Halifax, as a judge of the Court of Appeals of Virginia for a term of eight years commencing July 1, 2022.

### HOUSE RESOLUTION NO. 781

*Nominating a person to be elected to a circuit court judgeship.*

Agreed to by the House of Delegates, June 17, 2022

RESOLVED by the House of Delegates, That the following person is hereby nominated to be elected to the respective circuit court judgeship as follows:

The Honorable Manuel A. Capsalis, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing August 1, 2022.

### HOUSE RESOLUTION NO. 782

*Nominating a person to be elected to a general district court judgeship.*

Agreed to by the House of Delegates, June 17, 2022

RESOLVED by the House of Delegates, That the following person is hereby nominated to be elected to the respective general district court judgeship as follows:

Dipti Pidikiti-Smith, Esquire, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing August 1, 2022.

### HOUSE RESOLUTION NO. 783

*Commending Policy Pathways, Inc.*

Agreed to by the House of Delegates, June 17, 2022

WHEREAS, for four years, Policy Pathways, Inc., has provided educational programming and developmental activities for children and young adults who are interested in policy-related studies, public administration, and public service leadership; and

WHEREAS, Policy Pathways equips future generations of leaders with the knowledge, skills, and abilities to achieve diverse and equitable engagement in policymaking; and

WHEREAS, Policy Pathways has successfully implemented its Summer Academy for Policy Leadership and Public Service Online for two years; and

WHEREAS, Policy Pathways also hosts courses, conferences, workshops, and academically oriented programs that develop high-achieving and high-potential scholars; now, therefore, be it

RESOLVED by the House of Delegates, That Policy Pathways, Inc., hereby be commended for its extraordinary service to young people; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. D. Pulane Lucas, founding president and chief executive officer of Policy Pathways, Inc., as an expression of the House of Delegates' admiration for the organization's legacy of contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 784

*Commending Nawab.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, Nawab, a cherished restaurant in Roanoke specializing in the culinary traditions of India, celebrates its 25th anniversary in 2022; and

WHEREAS, Nawab opened in historic downtown Roanoke in May 1997 and has since established a sterling reputation in the community for exceptional food and service; and

WHEREAS, the menu at Nawab draws from all regions of India and features items that exemplify the numerous cooking techniques, styles, and spice mixes that are the hallmarks of Indian cuisine; and

WHEREAS, with guidance from consultant chef Mel Oza, the chefs at Nawab prepare every dish from scratch and in-house, taking great care to carefully and consciously source their produce, meats, and other ingredients to ensure that the food they serve is always fresh and of the highest quality; and

WHEREAS, the staff at Nawab work tirelessly every day to cultivate a calm and inviting ambiance in the restaurant in order to provide a more transporting dining experience for their guests; and

WHEREAS, in recognition of its commitment to excellence, Nawab has received numerous honors and accolades over the years, including several awards from *The Roanoker* magazine; and

WHEREAS, as a result of its employees' unwavering attention to detail and their superb commitment to the enjoyment of their guests, Nawab has earned its renown as one of the finest dining establishments in Roanoke; now, therefore, be it

RESOLVED by the House of Delegates, That Nawab hereby be commended on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sunny Shah, owner of Nawab, as an expression of the House of Delegates' admiration for the restaurant's contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 785

*Commending Margaret Niemann.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, for more than four decades, Margaret Niemann provided her expertise and visionary insights to the Virginia Department of Transportation, touching the lives of countless Virginians through her outstanding contributions to the Commonwealth's transportation infrastructure; and

WHEREAS, Margaret Niemann grew up in Fredericksburg and joined the Virginia Department of Transportation (VDOT) immediately after graduating from what is now Mary Washington University in May 1978; and

WHEREAS, Margaret Niemann rose through the ranks to ultimately become a senior architectural engineer and a trusted source of institutional knowledge who oversaw important projects throughout the Commonwealth; and

WHEREAS, over the course of her career, Margaret Niemann trained 12 resident engineers, three project engineers, and five land use directors, all of whom went on to achieve success in the public or private sectors; and

WHEREAS, Margaret Niemann was one of only three female inspector trainees at VDOT when she joined the agency, and she inspired many other women to pursue leadership opportunities in VDOT and through other forms of public service, including her daughter, who became a decorated officer in the Florida Army National Guard; and

WHEREAS, Margaret Niemann earned multiple employee of the year awards from VDOT in 1987 and was nominated for a customer service award in 1995; and

WHEREAS, Margaret Niemann was honored by Governor George Allen for her exceptional dedication to continuity of service during the blizzard of 1996, when she worked for eight consecutive days, sleeping on a bench near her desk so she could answer phone and radio calls; and

WHEREAS, outside of her career, Margaret Niemann volunteered her time and leadership with the Fredericksburg Chapter of Blue Star Mothers of America, Inc., which provides support to families with children on active duty military service; she is also an avid quilter who enjoys making commemorative quilts for family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, That Margaret Niemann hereby be commended for her contributions to the Commonwealth on the occasion of her retirement from the Virginia Department of Transportation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Margaret Niemann as an expression of the House of Delegates' admiration for her personal and professional achievements.

### HOUSE RESOLUTION NO. 786

*Commending St. Augustine's Episcopal Church.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, for 125 years, St. Augustine's Episcopal Church in Newport News has stood as a symbol of God's faithfulness and as a church committed to service; and

WHEREAS, the origins of St. Augustine's Episcopal Church date to 1897, when St. Paul's Church (then called Warwick Parish) in downtown Newport News established St. Paul's Mission for 17 African American communicants under the leadership of the Reverend Joseph F. Mitchell, Vicar; and

WHEREAS, in 1924, the Reverend Adolphus A. Birch, Vicar, and the congregation at St. Paul's Mission renamed the church St. Augustine's Episcopal Church in honor of the great African saint, St. Augustine, Bishop of Hippo (354-430 A.D.); and

WHEREAS, in 1952, the Reverend Lloyd M. Alexander, Vicar, spearheaded growth in the congregation's membership and renovations to the church's edifice, and on September 11, 1960, a cornerstone was laid for the construction of a new sanctuary; and

WHEREAS, dedicated on December 2, 1962, the new St. Augustine's Episcopal Church and its contemporary design quickly became hallmarks of the landscape of the east end of Newport News; and

WHEREAS, in 1965, under the guidance of the Reverend Robert C. S. Powell, Vicar, a long concerted effort began for the church to become a self-sufficient parish, and in February 1974, under the leadership of the Reverend Ralph E. Haines III, Rector, St. Augustine's Episcopal Church attained full parish status; and

WHEREAS, St. Augustine's Episcopal Church continues to be involved in community ministries, such as the Outreach Commission, which has ministered to the needy by providing meals and clothing since 1990, by sponsoring annual diaper and back-to-school drives, and by hosting an annual Fall Festival for the surrounding community; and

WHEREAS, under the leadership of the Reverend Terry D. Edwards, Rector, St. Augustine's Episcopal Church celebrated its 120th anniversary, the Blue Christmas Service was instituted, and the parish hall was named after member Mrs. Doris H. Watson; and

WHEREAS, St. Augustine's Episcopal Church navigated the COVID-19 pandemic by embracing online worship, permitting its ministry to continue its mission of spreading the Gospel of Jesus Christ while adhering to public health and safety protocols; and

WHEREAS, in 2020, under the leadership of the Reverend Phillip H. Shearin, Rector, St. Augustine's Episcopal Church became a part of the Peninsula Ministry Partnership alongside St. George's Episcopal Church and St. Andrew's Episcopal Church, both located in Newport News, and it also reopened its doors as the COVID-19 pandemic subsided with protocols in place for the safety of its members; now, therefore, be it

RESOLVED by the House of Delegates, That St. Augustine's Episcopal Church hereby be commended on the occasion of its 125th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to St. Augustine's Episcopal Church as an expression of the House of Delegates' admiration for the church's legacy of spiritual leadership to the Newport News community.

### HOUSE RESOLUTION NO. 787

*Commending Somerton Friends Meeting.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, Somerton Friends Meeting, a church of the Religious Society of Friends in Suffolk and one of the oldest churches in the country, celebrates its 350th anniversary in 2022; and

WHEREAS, the origins of Somerton Friends Meeting can be traced to a missionary trip made by George Fox, founder of the Religious Society of Friends, who are also commonly known as the Quakers, to the Commonwealth and North Carolina in 1672; and

WHEREAS, inspired by this visit, Quakers in the Nansemond County area joined together to establish Somerton Friends Meeting, conducting their worship services first in private homes and later in a meetinghouse built by the congregation; and

WHEREAS, founded 70 years before a settlement at Suffolk was officially established, Somerton Friends Meeting is regarded as the oldest active Quaker meeting in the Commonwealth; and

WHEREAS, after the original meetinghouse burned down in 1866, Somerton Friends Meeting constructed a new building on the same site three years later, which continues to serve as the congregation's meeting site to this day; and

WHEREAS, in honor of its place in the history of the Commonwealth, a Virginia Department of Historic Resources historic marker detailing Somerton Friends Meeting was erected in 2015 along U.S. Route 58; and

WHEREAS, Somerton Friends Meeting will commemorate its anniversary on September 24 and 25, 2022, with various activities, including a 17th century-style worship ceremony and guest lectures; and

WHEREAS, by providing its members with uplifting spiritual guidance and ample opportunities for community outreach for more than three centuries, the Somerton Friends Meeting has helped to make Suffolk a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That Somerton Friends Meeting hereby be commended on the occasion of its 350th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Richard Wilcox, pastor of Somerton Friends Meeting, as an expression of the House of Delegates' admiration for the church's history and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 788

*Commending Peggy Singlemann.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, Peggy Singlemann, who served Maymont in Richmond for 38 years, retired as Maymont Foundation's director of park operations and horticulture on June 30, 2022; and

WHEREAS, over the course of her career, Peggy Singlemann planned and directed the restoration, cultivation, presentation, and interpretation of the gardens, grounds, and arboretum at Maymont; and

WHEREAS, as director of park operations and horticulture, Peggy Singlemann's major accomplishments included the development of the long-term care program for Maymont's historic Italian and Japanese Gardens; and

WHEREAS, Peggy Singlemann developed the comprehensive interpretation of Maymont as an important expression of early 20th century country landscapes; and

WHEREAS, Peggy Singlemann built an extensive body of documentation regarding the Maymont estate and its historic gardens and arboretum; and

WHEREAS, Peggy Singlemann led, inspired, and educated hundreds of volunteers, colleagues, and supporters while raising their appreciation for both Maymont and horticulture; and

WHEREAS, Peggy Singlemann supported, oversaw, and enhanced the operations of Maymont, which serves more than 800,000 guests each year; and

WHEREAS, Peggy Singlemann developed and supported new public engagement opportunities, including the Maymont Flower and Garden Show and Garden Glow; and

WHEREAS, Peggy Singlemann will continue to share her love for and knowledge of horticulture as host of Virginia Public Media's *Virginia Home Grown* television show, which in the past has prominently featured Maymont's historic gardens and promoted interest in this Richmond treasure; and

WHEREAS, Peggy Singlemann gave unselfishly of her personal time to ensure Maymont's protection and success; and

WHEREAS, under Peggy Singlemann's leadership, Maymont was recognized as one of the Great Places in America by the American Planning Association; and

WHEREAS, Peggy Singlemann's passion, determination, and dedication helped advance the Maymont Foundation's mission and guiding principles to preserve Maymont as a public garden and historic estate for this and future generations; now, therefore, be it

RESOLVED by the House of Delegates, That Peggy Singlemann, a dedicated professional who has guided the preservation and development of Maymont in Richmond with both vision and enthusiasm, hereby be commended on the occasion of her retirement after 38 years of highly successful service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Peggy Singlemann as an expression of the House of Delegates' admiration and appreciation for her significant contributions to the Commonwealth and best wishes for an enjoyable and productive retirement.

### HOUSE RESOLUTION NO. 789

*Commending Piedmont Virginia Community College.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, over the 2022-2023 academic year, Piedmont Virginia Community College will celebrate 50 years of providing students of all ages with exceptional educational and career training opportunities; and



WHEREAS, on April 8, 1969, 97.43 acres were purchased for the campus of Piedmont Virginia Community College at the southwest corner of Interstate 64 and Route 20 in Albemarle County; the groundbreaking for construction of an administrative building followed three years later; and

WHEREAS, with approximately 450 students enrolled for the fall quarter, Piedmont Virginia Community College officially held its first classes on September 25, 1972, in temporary facilities in Albemarle County and at the University of Virginia; and

WHEREAS, more than 247,500 students have been enrolled at Piedmont Virginia Community College since it opened and more than 17,000 individuals have received an associate degree or certificate; and

WHEREAS, Piedmont Virginia Community College has opened several satellite facilities in recent years, including in Greene County in 2012 and in Charlottesville at the Jefferson School City Center in 2013, on South Street in 2016, and on Second Street in 2017; and

WHEREAS, approximately 8,500 students are now served each year through Piedmont Virginia Community College's academic and workforce training programs, high school dual-enrollment courses, professional development and continuing education opportunities, and adult basic education programs; and

WHEREAS, Piedmont Virginia Community College proudly represents the geographic region comprising the City of Charlottesville and the Counties of Albemarle, Buckingham, Fluvanna, Greene, Louisa, and Nelson; and

WHEREAS, Piedmont Virginia Community College has served an important role in the economic development of the region, working with area school systems, business and industry partners, and local governments; and

WHEREAS, Piedmont Virginia Community College faculty, staff, students, alumni, and board members have brought honor and positive recognition to the region and to the Commonwealth; and

WHEREAS, Piedmont Virginia Community College remains committed to its mission to offer accessible, affordable, high-quality educational programs that promote student success and community vitality; now, therefore, be it

RESOLVED by the House of Delegates, That Piedmont Virginia Community College hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Jean Runyon, president of Piedmont Virginia Community College, as an expression of the House of Delegates' congratulations on this historic milestone.

### HOUSE RESOLUTION NO. 790

#### *Commending The Lawson Companies.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, The Lawson Companies, an award-winning firm specializing in real estate development, building construction, and property management in Hampton Roads, celebrates its 50th anniversary in 2022; and

WHEREAS, The Lawson Companies was founded in 1972 by Bob Lawson, a veteran of the United States Navy and Vietnam War, who brought years of experience as a builder to bear in establishing a firm that would go on to create and maintain thousands of quality and affordable homes for individuals and families in Hampton Roads; and

WHEREAS, inspired by his father's accomplishments as a businessman and his role in the community, Bob Lawson's son, Steve Lawson, joined The Lawson Companies after earning a master's degree in business administration from Duke University; today, he serves as the firm's board chairman; and

WHEREAS, The Lawson Companies recently relocated its home office to Main Street in Norfolk, bringing the firm back to where it first laid its roots a half-century ago and where many of its signature projects were completed; and

WHEREAS, The Lawson Companies applies a vertically integrated business model, employing expertise in development, construction, property management, and asset management to enhance value at each stage in its projects and in every facet of its operations; and

WHEREAS, The Lawson Companies is one of the leading real estate firms in the Commonwealth, with approximately 1,000 houses and 10,000 apartments in its portfolio, 5,500 units under its current management, and another 1,300 units in development; and

WHEREAS, two communities recently developed by The Lawson Companies, the Seaside Harbor Apartments in Virginia Beach and The Retreat at Harbor Pointe Apartments in Norfolk, have garnered local, state, and national awards as testament to the firm's commitment to excellence; and

WHEREAS, the accomplishments of The Lawson Companies in the firm's pursuit of providing exceptional and cost-effective housing have been made possible through the tireless efforts and devotion of its more than 200 employees; and

WHEREAS, for a half-century, The Lawson Companies has remained steadfast in its dedication to the well-being of its tenants and clients and to making a positive and lasting impact in the communities it serves; now, therefore, be it

RESOLVED by the House of Delegates, That The Lawson Companies hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Steve Lawson, chairman of The Lawson Companies, as an expression of the House of Delegates' admiration for the firm's history and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 791

*Commending the Community Counseling Center.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, the Community Counseling Center in Harrisonburg, a 501(c)3 organization providing services to promote mental health and to fulfill primary needs in the community, celebrates its 50th anniversary in 2022; and

WHEREAS, after stakeholders realized a need for professional, affordable counseling in Harrisonburg and Rockingham County, the Community Counseling Center (CCC) was opened on August 21, 1972, providing many individuals and families with vital access to mental health counseling services; and

WHEREAS, the staff at the CCC has anticipated the needs of its community over the years by providing a variety of individual, couples, family, and group counseling services to clients; and

WHEREAS, known for some time as The Center for Marriage and Family Counseling, the CCC restored its original name in 2019 to reflect the broad range of services the organization now provides to clients and the community; and

WHEREAS, with a mission to make its services available to everyone, the CCC uses a generous sliding payment scale to ensure that one's financial standing is not a barrier to receiving mental health treatment or other services; and

WHEREAS, the CCC operates out of the historic Will House in Harrisonburg, which is owned by St. Stephen's United Church of Christ; from 2017 to 2018, the church graciously allowed the CCC to continue to operate in its building while the church carried out major renovations to the space; and

WHEREAS, during the COVID-19 pandemic, the CCC has continued to provide exceptional therapy services to its clients and the community through the use of telehealth technologies; and

WHEREAS, the CCC is among the many counseling centers across the Commonwealth that have provided praiseworthy services during times of crisis and other difficulties; and

WHEREAS, current and former staff of the CCC have demonstrated creativity, leadership, and commitment to service over the organization's half-century in existence, assisting approximately 15,000 clients in that time; and

WHEREAS, since the organization's founding, the staff of the CCC has set a powerful example of community engagement through its work with the many children, parents, and adults it serves; now, therefore, be it

RESOLVED by the House of Delegates, That the Community Counseling Center hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Community Counseling Center as an expression of the House of Delegates' admiration for the organization's work and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 792

*Celebrating the life of Everette B. Obenshain, Jr.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, Everette B. Obenshain, Jr., esteemed former sheriff of Salem and a beloved member of the Salem community for many years, died on July 14, 2022; and

WHEREAS, Everette Obenshain embarked upon his illustrious career in law enforcement as a patrolman with the Salem Police Department from November 1966 to July 1969; and

WHEREAS, elected to the position of city sergeant of Salem in 1969, Everette Obenshain would become sheriff of Salem two years later when an amendment to the Code of Virginia transformed Salem's Office of City Sergeant into the Office of Sheriff; and

WHEREAS, over his more than three decades as a law-enforcement officer, Everette Obenshain demonstrated a profound dedication to ensuring the safety and security of the Salem community and to making a difference in the lives of others; and

WHEREAS, Everette Obenshain's commitment to service also manifested itself in myriad ways throughout the community; in addition to serving on the Salem Board of Elections for 19 years, he was also active in various civic organizations, including his local post of the American Legion, the Salem Sports Foundation, and the Edgewood Lions Club, which he had been a member of since 1965; and

WHEREAS, Everette Obenshain was a consummate family man who was happiest when spending time with his wife and children, and he was an avid sportsman who took immense pleasure in golfing and bowling with friends; and

WHEREAS, preceded in death by his loving wife, Hazel, Everette Obenshain will be fondly remembered and dearly missed by his children, Everette III and Susan, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Everette B. Obenshain, Jr., cherished former sheriff of Salem whose kindness and generosity earned him unwavering respect and admiration from the community he served; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Everette B. Obenshain, Jr., as an expression of the House of Delegates' respect for his memory.

### HOUSE RESOLUTION NO. 793

*Commending Naomi Collins.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, Naomi Collins completed the "Live Active, Live Healthy, Live Modern" senior seminar program through the Department for the Blind and Vision Impaired in 2022; and

WHEREAS, the "Live Active, Live Healthy, Live Modern" program that Naomi Collins completed is a weeklong residential program for senior citizens in the Commonwealth who are experiencing vision loss and their caregivers; and

WHEREAS, at the Virginia Rehabilitation Center for the Blind and Vision Impaired in Richmond where the program was held, Naomi Collins and other participants attended classes that helped them learn daily skills and increase their sense of independence and confidence as they cope with vision loss; and

WHEREAS, as part of her "Live Active, Live Healthy, Live Modern" experience, Naomi Collins had ample opportunity to network with fellow individuals who are losing their sight at an older age, bringing her a greater sense of community as she navigates the next chapter in her life; and

WHEREAS, the perseverance and dedication displayed by Naomi Collins through her participation in the "Live Active, Live Healthy, Live Modern" program is an inspiration to all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Naomi Collins hereby be commended for completing the Department for the Blind and Vision Impaired's "Live Active, Live Healthy, Live Modern" senior seminar program; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Naomi Collins as an expression of the House of Delegates' admiration for her accomplishments and best wishes in her future endeavors.

### HOUSE RESOLUTION NO. 794

*Commending the Washington Area Bicyclist Association.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, the Washington Area Bicyclist Association, an advocacy organization dedicated to promoting a bike-friendly environment in the Washington, D.C., metropolitan area and beyond, celebrated its 50th anniversary in 2022; and

WHEREAS, the Washington Area Bicyclist Association was founded on May 1, 1972, by Cary S. Shaw, who envisioned an organization that would advance policies to improve bicycle safety and address other issues relevant to the needs of bicyclists at a time when bicycle advocacy was still a nascent idea; and

WHEREAS, the Washington Area Bicyclist Association convened its first meeting of the general membership on May 31, 1972, at the West End Library in Washington, D.C., where topics discussed included bicycle parking, theft, bicyclist and motorist education, and bike trails; and

WHEREAS, by July 1972, the Washington Area Bicyclist Association had established 11 task forces and committees to focus on matters such as parking, road conditions, newsletter distribution, and bicycle recovery; and

WHEREAS, as membership in the Washington Area Bicyclist Association swelled to more than 400 individuals by September of that same year, the organization also disseminated its message with the help of its monthly newsletter, *Ride On!!*; and

WHEREAS, the Washington Area Bicyclist Association's half-century of advocacy has enhanced biking for both commuters and recreational cyclists, encouraging countless individuals to embrace cycling as a safe, fun, and effective mode of transportation; and

WHEREAS, in addition to its advocacy, the Washington Area Bicyclist Association furthers its mission through classes, community rides and events, and programs such as DC Bike Ambassador and DC Trail Ranger; and

WHEREAS, the Washington Area Bicyclist Association grounds its vision for a fair and sustainable transportation system in its core values of joy, boldness, integrity, justice, and stewardship; and

WHEREAS, the more than 6,000 current members and other supporters of the Washington Area Bicyclist Association have given generously of their time and resources to foster the development of a regional transportation system that is easier to use, more affordable, climate resilient, and accessible to all; and

WHEREAS, the Washington Area Bicyclist Association established a 2021-2025 Strategic Plan with four main objectives, including to empower people to engage and take action, to generate broad public support for bicycling, to build political power, and to strengthen and sustain the organization, charting a course that will ensure the organization's continued success for many years to come; now, therefore, be it

RESOLVED by the House of Delegates, That the Washington Area Bicyclist Association hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Washington Area Bicyclist Association as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 795

*Commending the Richmond County Volunteer Fire Department.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, for 75 years, the Richmond County Volunteer Fire Department has safeguarded the lives and property of Richmond County residents by providing outstanding fire and rescue service and conducting generous community outreach programs; and

WHEREAS, the Richmond County Volunteer Fire Department was established in 1947 and opened its first station in the Town of Warsaw, which is now known as Company 1; and

WHEREAS, to better serve the community, the Richmond County Volunteer Fire Department added a second fire station in Farnham in 1966, now Company 2, and a third station in Newland in 2009, now Company 3; and

WHEREAS, throughout its history, the Richmond County Volunteer Fire Department has remained a 100 percent volunteer organization, with its members generously giving their time to run calls for service at all hours of the day and hone their skills through firefighting classes; and

WHEREAS, in 2021, the Richmond County Volunteer Fire Department answered 303 calls for service related to home and building fires, vehicle crashes, rescues, medical emergencies, and other crisis situations; and

WHEREAS, the members of the Richmond County Volunteer Fire Department stay engaged with the community by hosting raffles and other fundraisers, and the Richmond County Volunteer Fire Department Auxiliary hosts several dinner events at Company 3 every year; and

WHEREAS, the Richmond County Volunteer Fire Department has further enhanced local life by participating in community events like the annual WarsawFest and the Richmond County Fair; now, therefore, be it

RESOLVED by the House of Delegates, That the Richmond County Volunteer Fire Department hereby be commended on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Richmond County Volunteer Fire Department as an expression of the House of Delegates' admiration for the organization's legacy of contributions to the Richmond County community.

### HOUSE RESOLUTION NO. 796

*Celebrating the life of Resa Hutt O'Flaherty.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, Resa Hutt O'Flaherty, a vibrant member of the Alexandria community who lived in the city for 74 years and left a legacy of generous contributions to her fellow residents, died on July 5, 2022; and

WHEREAS, Resa O'Flaherty grew up in Montross and graduated from what is now Longwood University; she continued her education with summer classes at The College of William & Mary, then returned to Montross and worked as a teacher at her alma mater, Washington & Lee High School; and

WHEREAS, in 1948, Resa O'Flaherty and three friends moved to Alexandria, where she ultimately met her husband, Daniel; the couple settled in the Rosemont neighborhood and became active leaders in the community; and

WHEREAS, Resa O'Flaherty helped enhance the local quality of life by supporting the Maury School PTA, the Rosemont Citizens Association, the Rosemont Beautification Committee, and the Stratford Hall Historical Society; and

WHEREAS, Resa O'Flaherty was active in local government and regularly attended events for the Alexandria Democratic Committee; she was also active with a group for the wives of attorneys in Alexandria and often participated in Law Day events every May; and

WHEREAS, Resa O'Flaherty enjoyed fellowship and worship with the congregation of Trinity United Methodist Church, where she volunteered her time in several capacities and helped organize church greeters for 23 years; and

WHEREAS, predeceased by her husband, Daniel, and her son, Daniel, Jr., Resa O'Flaherty will be fondly remembered and greatly missed by her daughters, Susan and Lucelle, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Resa Hutt O'Flaherty; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Resa Hutt O'Flaherty as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 797

*Commending Del Ray Artisans.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, for three decades, Del Ray Artisans has promoted the arts and arts education in Alexandria while helping local artists grow and thrive; and

WHEREAS, Del Ray Artisans was founded as a local arts collective in 1992 by Peter Smirniotopoulos and cofounders Kathryn A. Brown and Marlin G. Lord and originally included 23 individuals and three sponsors; and

WHEREAS, Del Ray Artisans was originally known as the Arts Resource Foundation or ARF, a reference to how several members had gotten to know the neighborhood by walking their dogs, and the organization adopted its current name in 1997; and

WHEREAS, Del Ray Artisans encourages new and emerging artists and artisans, fosters community-based arts events and organizations, promotes the arts as a method for community outreach, and works diligently to make the arts accessible and available to the general public; and

WHEREAS, now located at the Colasanto Center, Del Ray Artisans hosts gallery exhibits, workshops, classes, youth art camps, a holiday market, and receptions for special occasions; the organization is also a longtime participant at Art on the Avenue, one of Alexandria's largest festivals dedicated to the arts; and

WHEREAS, Del Ray Artisans has fulfilled its mission with the leadership of its part-time staff members, the generous support of its community partners, and the hard work of countless volunteers; now, therefore, be it

RESOLVED by the House of Delegates, That Del Ray Artisans hereby be commended on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Del Ray Artisans as an expression of the House of Delegates' admiration for the organization's contributions to the advancement of the arts and positive impact on cultural life in Alexandria.

### HOUSE RESOLUTION NO. 798

*Commending the Town of Fincastle.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, the Town of Fincastle has made numerous contributions to the history, heritage, culture, and economy of the Commonwealth over the course of the past 250 years; and

WHEREAS, during the westward migration of the 18th century, many settlers were impeded by the rugged barrier of the Allegheny Mountains; and

WHEREAS, many of those settlers came to appreciate the beauty of the Great Valley and decided to end their westward journey and settle in the lush region between the Alleghenies and the Blue Ridge Mountains; and

WHEREAS, as a result, southwestern Virginia and the southern Shenandoah Valley became home to many settlers of primarily English, German, and Scots Irish descent; and

WHEREAS, in the 1750s, John Miller erected a sawmill that attracted new settlers and other enterprises, leading to the creation of a small settlement known as Miller's Mill; and

WHEREAS, an act of the Virginia House of Burgesses in 1769 established Botetourt County within the existing boundaries of Augusta County, with the newly established county named for Lord Botetourt, the governor of the colony of Virginia at the time; and

WHEREAS, Fincastle was established in 1772 and was named after George, Lord Fincastle, the son of Virginia's royal lieutenant governor, Lord Dunmore; and

WHEREAS, local landowner Israel Christian ceded 45 acres for the establishment of the seat of Botetourt County, designating locations for a courthouse, a jail, and an Anglican church; and

WHEREAS, by 1784, Fincastle boasted 26 log dwelling houses, 21 cabins, one double cabin, and 11 frame dwelling houses, along with several taverns, ordinaries, and other commercial endeavors; and

WHEREAS, Fincastle soon became a major stop along various pioneer trails heading south and west, becoming known as the "last outpost before the great wilderness"; and

WHEREAS, Fincastle became a center of political debate and discourse during the colonial period and influenced events before, during, and after the American Revolution; and

WHEREAS, many of Fincastle's buildings from the colonial and antebellum periods and the Victorian era offer a panorama of American architectural history, while historical landmarks, such as the courthouse reportedly designed by Thomas Jefferson, offer a window into Botetourt County's storied past; and

WHEREAS, Fincastle still serves as the county seat of Botetourt County and remains committed to historical preservation and protection and to the promotion of its rich and diverse heritage; now, therefore, be it

RESOLVED by the House of Delegates, That the Town of Fincastle hereby be commended on the occasion of its 250th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Town of Fincastle as an expression of the House of Delegates' admiration for the community's unique role in the history of the Commonwealth.

### HOUSE RESOLUTION NO. 799

*Celebrating the life of the Honorable Joseph Pickett Johnson, Jr.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, the Honorable Joseph Pickett Johnson, Jr., a highly admired former member of the Virginia House of Delegates who represented the residents of Southwest Virginia for nearly three decades, died on August 4, 2022; and

WHEREAS, Joseph "Joe" Pickett Johnson, Jr., grew up in Hayter's Gap and served his country as a member of the United States Air Force during the Korean War; he also participated in Operation Castle, a series of high-yield nuclear tests at Bikini Atoll in the 1950s; and

WHEREAS, after his honorable military service, Joe Johnson graduated from Emory & Henry College; he earned a law degree from the T.C. Williams School of Law at the University of Richmond, then embarked on a 60-year career as an attorney; and

WHEREAS, in addition to his law practice in Abingdon, Joe Johnson served as a substitute judge of the 28th Judicial District of Virginia and was president of the Washington County Bar Association; and

WHEREAS, desirous to be of further service to his community and the Commonwealth, Joe Johnson ran for and was elected to the Virginia House of Delegates in 1965 and 1967 but did not seek reelection after his second term due to the long drive from Abingdon to Richmond before the completion of Interstate 81; and

WHEREAS, after a hiatus of nearly 20 years, Joe Johnson returned to the Virginia House of Delegates and served from 1990 to 2014; during his tenure as a state legislator, he introduced or supported many important pieces of legislation and offered his expertise to several standing committees, subcommittees, and study commissions; and

WHEREAS, Joe Johnson took a particular interest in issues related to education and played a key role in the establishment of the Commonwealth's community college system, as well as the Virginia Tobacco Indemnification and Community Revitalization Commission; and

WHEREAS, Joe Johnson volunteered his time and leadership to the Washington Red Cross, the Emory & Henry College Board of Trustees, the Southwest Virginia Higher Education Center Board of Trustees, and many other boards, commissions, and service organizations; he was a member of the Order of the Ancient Free and Accepted Masons, Kazim Shriners, Order of the Eastern Star, and Independent Order of Odd Fellows; and

WHEREAS, Joe Johnson honored his fellow veterans as a former post commander of American Legion Post No. 12 in Abingdon and a trustee and former chair of the Virginia War Memorial Foundation Board; he also continued to serve the Commonwealth as a member of the Civil Air Patrol; and

WHEREAS, throughout his career, Joe Johnson was well known for his kindness and unparalleled ability to establish a rapport with nearly everyone he met; he was a respected consensus builder who strove to create trust and mutual respect in the General Assembly while striving for common ground solutions to benefit all Virginians; and

WHEREAS, for 45 years, Joe Johnson enjoyed fellowship and worship with the congregation of Abingdon Baptist Church, where he served as a Sunday school teacher and a member of the deacon council; and

WHEREAS, Joe Johnson's greatest joy in life was his beloved family; he relished opportunities to cheer for his children and grandchildren at youth sporting events and strove to impart wise life lessons while supporting them in all their endeavors; and

WHEREAS, predeceased by his wife of 64 years, Ann, Joe Johnson will be fondly remembered and greatly missed by his children, Mary Jo, Joseph III, and Sage, and their families, and numerous other family members, friends, and colleagues on both sides of the aisle; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Honorable Joseph Pickett Johnson, Jr., a dedicated public servant in Southwest Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Honorable Joseph Pickett Johnson, Jr., as an expression of the House of Delegates' respect for his memory.

**HOUSE RESOLUTION NO. 800**

*Commending the Jesse Jones Sausage Company.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, the Jesse Jones Sausage Company of Danville has provided world-class sausage products to countless individuals and families over the past 96 years, earning a prominent place in the history and culture of Southside Virginia; and

WHEREAS, the Jesse Jones Sausage Company was started in 1926 by Major Jesse Jones, a lifelong resident of Pittsylvania County whose talent for raising pigs and processing sausage helped build a company that, today, supplies tens of thousands of pounds of hot dogs, sausages, bologna, chili, and more annually throughout the Carolinas and the Commonwealth; and

WHEREAS, in the early days, when Major Jones was a bread salesman and country merchant who only raised pigs as a hobby and to provide food for his family, the Jesse Jones Sausage Company founder would gift homemade sausage to his customers to show his appreciation for their business; and

WHEREAS, by the mid-1920s, Major Jones had many customers requesting his sausage and a large surplus of pigs, but he had no livestock market in the Danville area where he could meet their demand, which inspired him in 1926 to establish the Jones Sausage Company; and

WHEREAS, in the beginning, Major Jones delivered Jones Sausage Company products along a milk route he worked; as the company's reputation spread throughout Pittsylvania County and beyond, the company's products also began to appear on the shelves of local country stores; and

WHEREAS, when the scale of the company's operations outgrew Major Jones' family kitchen, the Jones Sausage Company opened its first pork processing plant in the Danville area, offering employment to many local residents and bolstering the regional economy; and

WHEREAS, by the late 1940s, the Jones Sausage Company expanded into North Carolina, with Major Jones' four sons, Cassell, Earl, Garland, and Reginald, helping to establish a processing plant in Garner, North Carolina; and

WHEREAS, by the 1950s, the Jones Sausage Company was primarily managed by Major Jones' sons, who decided to rebrand the business as the Jesse Jones Sausage Company in honor of their father; and

WHEREAS, only a few weeks before the company was set to officially become the Jesse Jones Sausage Company, Major Jones died on May 4, 1956; his sons would run the company for several more years until they ultimately sold the business to General Mills and GoodMark Foods; and

WHEREAS, while operating under the brands of General Mills and GoodMark Foods, the Jesse Jones Sausage Company was notably the primary meat producer for Slim Jims, the popular beef jerky snack; and

WHEREAS, purchased by the White Packing Company of King George in 1997, the Jesse Jones Sausage Company continues to be one of the most reputable and recognizable purveyors of hot dogs and sausages in Southside Virginia and the Carolinas, with its products sold at many local grocery and convenience stores and at notable venues the region over; and

WHEREAS, the Jesse Jones Sausage Company is the official hot dog of the Martinsville Speedway and has been an integral part of the race day experience at the track since its founding in 1947; and

WHEREAS, the enduring popularity of Jesse Jones Sausage Company products and the legacy of its brand are a testament to the vision of its founder, the hard work and dedication of its employees, and the appreciation and support of the entire community of Southside Virginia; now, therefore, be it

RESOLVED by the House of Delegates, That the Jesse Jones Sausage Company hereby be commended for its accomplishments over its past 96 years of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Jesse Jones Sausage Company as an expression of the House of Delegates' admiration for the company's history and its contributions to the Commonwealth.

**HOUSE RESOLUTION NO. 801**

*Commending the Chinquapin Wahoos swim team.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, the Chinquapin Wahoos swim team of Alexandria finished their regular season in the blue division of the Colonial Swim League undefeated on July 16, 2022; and

WHEREAS, the Chinquapin Wahoos beat the ManorGate Marlins of Centreville by a tally of 293-158 to complete their regular season competition with a perfect record of 5-0; and

WHEREAS, the Chinquapin Wahoos' victory was a total team effort, with members of each age bracket posting impressive wins, including a sweep of the medley relays on the girls' side and a sweep of the 50-meter freestyle and 50-meter butterfly events by the squad of boys ages 15-18; and

WHEREAS, the Chinquapin Wahoos also dominated at the boys ages 9-10 level, cementing Colonial Swim League-leading times in the 50-meter backstroke, 50-meter breaststroke, and 25-meter butterfly events, while also

completing a sweep in the breaststroke event and posting the league's fastest time for a 9-10-year-olds relay team in a meters pool this season; and

WHEREAS, the Chinquapin Wahoos were also carried by a strong performance from its girls ages 11-12 squad, which captured wins in the 50-meter freestyle, 50-meter breaststroke, 50-meter butterfly, and 200-meter medley relay events; and

WHEREAS, swimmers for the Chinquapin Wahoos set several team records in the 2022 season, including in the boys ages 9-10 25-meter butterfly, the girls ages 11-12 50-meter breaststroke and 100-meter individual medley, the girls ages 15-18 50-meter breaststroke, and the boys ages 15-18 50-meter freestyle, 50-meter backstroke, 50-meter breaststroke, 50-meter butterfly, and 100-meter individual medley events; and

WHEREAS, as the only public swim team in the City of Alexandria, the Chinquapin Wahoos are committed to promoting inclusivity and having fun, recruiting members of all ages and abilities from across the city; and

WHEREAS, the success of the Chinquapin Wahoos swim team is the result of the hard work and dedication of the young athletes, the leadership and guidance of their coaches, and the unwavering support of the entire Chinquapin Wahoos community; now, therefore, be it

RESOLVED by the House of Delegates, That the Chinquapin Wahoos swim team hereby be commended for their undefeated season in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dennis Burstein, head coach of the Chinquapin Wahoos swim team, as an expression of the House of Delegates' admiration for the team's achievement.

### HOUSE RESOLUTION NO. 802

*Commending Gary Morris.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, for four years, Gary Morris served and inspired young people in Lorton as principal of South County High School; and

WHEREAS, Gary Morris holds a bachelor's degree from Norfolk State University, where he was a star wide receiver on the university's football team; he played professional football in Canada while completing his master's degree, then coached football at George Mason University before earning an education specialist degree from Virginia Polytechnic Institute and State University; and

WHEREAS, Gary Morris began his career in teaching as a technology education instructor with Fairfax County Public Schools; he later served as principal of Fairfax County Adult High School and Mountain View Alternative High School, earning the admiration of his peers for his commitment to building a culture of academic excellence, professional development, and lifelong learning; and

WHEREAS, Gary Morris previously served as the first assistant principal of South County High School, then known as South County Secondary School, when it opened in 2005 and returned to the school to become principal in 2018; and

WHEREAS, at the time, South County High School had more than 2,200 students and a staff of 167, and Gary Morris used his extensive experience as both an educator and administrator to build a focused and unified team and highly engaged student body; and

WHEREAS, Gary Morris implemented the Stallions for Success program and a program to identify at-risk students and provide resources across departments to ensure that these students receive the support they need to be successful; and

WHEREAS, Gary Morris exemplified South County High School's One Stallion slogan, and he worked diligently to make the school community feel like a caring and supportive family; and

WHEREAS, Gary Morris maintained an open-door policy for students to ensure that concerns were heard and met; he has been a trusted mentor to many of his fellow teachers and administrators and built strong relationships with parents, families, and community stakeholders; and

WHEREAS, during his tenure as principal, Gary Morris helped South County High School fulfill its mission to help students discover their talents and passions and gain the skills they need to achieve a brighter future; and

WHEREAS, on July 1, 2022, Gary Morris transferred to Manassas City Public Schools to become principal of Metz Middle School, the only middle school in Manassas, which serves more than 1,100 students in seventh and eighth grades; now, therefore, be it

RESOLVED by the House of Delegates, That Gary Morris hereby be commended for his outstanding service to the students of South County High School and contributions to the field of education; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Gary Morris as an expression of the House of Delegates' admiration for his achievements on behalf of young people in Fairfax County.



**HOUSE RESOLUTION NO. 803**

*Commending Jaime Lizárraga.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, on July 18, 2022, Jaime Lizárraga was sworn in as a commissioner of the Securities and Exchange Commission; and

WHEREAS, Jaime Lizárraga holds degrees from the University of California San Diego and the Lyndon B. Johnson School of Public Affairs at the University of Texas, and he has worked in government for more than 30 years; and

WHEREAS, Jaime Lizárraga previously served as a senior professional staff member and director of legislative affairs for the Democratic staff of the House Financial Services Committee, deputy to the assistant secretary of legislative affairs at the United States Department of the Treasury, and deputy director at the Office of Legislative and Intergovernmental Affairs at the Securities and Exchange Commission; and

WHEREAS, most recently, Jaime Lizárraga worked as the senior advisor to Speaker of the House Nancy Pelosi, in which capacity he oversaw issues related to financial markets, small business, international finance, and immigration; he also coordinated with the Congressional Hispanic Caucus as a liaison on behalf of Speaker Pelosi's office; and

WHEREAS, Jaime Lizárraga played a critical role in the enactment of legislation related to the recession between 2007 and 2009, oversight of the financial system through the Dodd-Frank Act, and multiple COVID-19 relief packages; and

WHEREAS, Jaime Lizárraga has earned the admiration of his colleagues for his personal kindness, vast expertise, and institutional knowledge; and

WHEREAS, over the course of his career, Jaime Lizárraga has worked to protect investors, promote fair and transparent markets, facilitate capital formation, and strive to build an equitable financial future for all Americans; now, therefore, be it

RESOLVED by the House of Delegates, That Jaime Lizárraga hereby be commended on being sworn in as a commissioner of the Securities and Exchange Commission; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jaime Lizárraga as an expression of the House of Delegates' admiration for his achievements in service to the nation.

**HOUSE RESOLUTION NO. 804**

*Commending Acting for Young People.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, for 25 years, Acting for Young People has provided professional performing arts instruction in a supportive environment to youths in the Fairfax community; and

WHEREAS, Acting for Young People was established in 1997 by local resident Mary Lechter after she noticed a lack of acting classes for children in the Fairfax area; she began renting out spaces to offer classes and subsequently expanded to after-school and summer camp programs; and

WHEREAS, through Acting for Young People's summer programs, Mary Lechter began working with George Mason University and helped the institution coordinate a nonprofit arts academy, of which she serves as the executive director; and

WHEREAS, Acting for Young People proudly offers the Time to Shine Program, a tuition-free program for students in Title 1 schools that provides theater instruction as well as take-home meals and other support to young people in need; and

WHEREAS, Acting for Young People has earned numerous awards and accolades, including recognition as one of the region's best summer camps by *Northern Virginia Magazine* and as a "Top Parent Pick" by *Washington Parent*; the organization has received grant funding from ArtsFairfax, the Virginia Commission for the Arts, and the Community Foundation for Northern Virginia; and

WHEREAS, Acting for Young People has fulfilled its mission to make the performing arts accessible to young people through the hard work and generosity of its staff members, volunteers, and community partners; many former students have achieved success in the performing arts as adults and several have also returned to become teachers with the program; and

WHEREAS, during the COVID-19 pandemic, Acting for Young People helped provide a sense of normalcy and community engagement for young people in the Fairfax community; now, therefore, be it

RESOLVED by the House of Delegates, That Acting for Young People hereby be commended on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Acting for Young People as an expression of the House of Delegates' admiration for the organization's legacy of achievements and contributions to the advancement of the performing arts in Northern Virginia.

**HOUSE RESOLUTION NO. 805**

*Commending John Cooley.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, John Cooley retired as president of the Civic Association of West Springfield Village after more than two decades of leadership and service to the community; and

WHEREAS, John Cooley previously served the nation as a member of the United States Army and joined the Civic Association of West Springfield Village to help make a difference in his community; and

WHEREAS, John Cooley began serving as president of the Civic Association of West Springfield Village in 2000 and touched the lives of countless residents through his active leadership and commitment to service; the neighborhood is located between Fairfax County Parkway and Old Keene Mill Road and offers convenient access to Washington, D.C., and several nearby parks and other amenities; and

WHEREAS, during his tenure as civic association president, John Cooley represented West Springfield Village before local, state, and federal entities and enhanced communication with neighborhood residents by overseeing the maintenance of a community website and the publication of a weekly newsletter; and

WHEREAS, John Cooley helped organize regular meetings along with special events such as yard sales and community clean-up days; he coordinated a neighborhood watch program to deter crime and keep local residents safe and ensured the neighborhood's finances were in order through his prudent fiscal leadership; and

WHEREAS, among his many accomplishments on behalf of the community, John Cooley played an active role in ensuring community awareness and input into projects to widen Rolling Road, including advocating for upgraded traffic signals and the creation of shared-use lanes for bicyclists and pedestrians; and

WHEREAS, John Cooley also went above and beyond to help neighbors in need with everyday tasks such as caring for lawns, removing downed trees, or driving to the local dump; and

WHEREAS, after 22 years of service to West Springfield Village, John Cooley and his wife relocated to Colorado; now, therefore, be it

RESOLVED by the House of Delegates, That John Cooley hereby be commended on the occasion of his retirement as president of the Civic Association of West Springfield Village; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to John Cooley as an expression of the House of Delegates' admiration for his legacy of service to his fellow residents of West Springfield Village and best wishes on his well-earned retirement.

**HOUSE RESOLUTION NO. 806**

*Commending Harry Lee Cross III.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, Harry Lee Cross III, esteemed realtor and community leader, received the Suffolk First Citizen Award from the Downtown Suffolk Rotary Club and North Suffolk Rotary Club during a reception on August 25, 2022, at the Suffolk Center for Cultural Arts; and

WHEREAS, a graduate of Suffolk High School, Harry Cross earned a degree in business from The College of William & Mary, where he also played tennis and was team captain for two years, before serving his country with honor and distinction as a flight officer in the United States Navy; and

WHEREAS, in 1973, Harry Cross joined Cross Realty & Cross Realty Management, the local family business that was started by his father, Harry Cross, Jr., two decades prior; for nearly a half-century since, he has worked tirelessly to help numerous clients in the Suffolk area realize their housing dreams; and

WHEREAS, as a testament to his abilities as a realtor, Harry Cross has received several gold and platinum sales awards over his career; meanwhile, he has taken great care to nurture the future generation of realtors by devoting time to mentoring the agents with whom he works; and

WHEREAS, Harry Cross' commitment to his industry led him to serve as president of REIN, the Multiple Listing Service for Hampton Roads, and as chairman of the Suffolk-Franklin Board of Realtors; and

WHEREAS, Harry Cross has given generously of his time and talents toward the betterment of his community by serving with various local and national organizations, including as president of the Downtown Suffolk Rotary Club and as chairman of the Suffolk Chamber of Commerce, the local YMCA, the local chapter of the United Way, and the Community Action Coalition of Virginia; and

WHEREAS, a longtime coach and president of the Suffolk Youth Athletic Association for 10 years, Harry Cross oversaw the organization's tenfold growth as it incorporated new sports for both boys and girls; and

WHEREAS, as a board member and past president of the Suffolk Foundation, Harry Cross spearheaded various worthwhile local initiatives to address community needs, including the recently established Women's Impact Fund; and

WHEREAS, guided by his faith, Harry Cross has served as a deacon and elder at St. Andrew Presbyterian Church in Suffolk, taught Sunday school for more than 40 years, and advised the leaders of the Suffolk Christian Fellowship Center, a local food distribution service for those in need; and

WHEREAS, in recognition of his impact in the community, Harry Cross was previously honored with the Outstanding Young Man Award from JCI USA, formerly known as the United States Junior Chamber, or Jaycees; and

WHEREAS, by receiving the Suffolk First Citizen Award, Harry Cross joins an illustrious group of past recipients that includes former governors, state senators and delegates, town mayors, and other distinguished members of the community, a fitting tribute to a man who has dedicated his life to the Suffolk community; now, therefore, be it

RESOLVED by the House of Delegates, That Harry Lee Cross III hereby be commended for receiving the 2022 Suffolk First Citizen Award from the Downtown Suffolk Rotary Club and North Suffolk Rotary Club; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Harry Lee Cross III as an expression of the House of Delegates' admiration for his contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 807

*Commending Bethlehem Christian Church.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, for 175 years, Bethlehem Christian Church of Suffolk has provided spiritual guidance, generous community outreach, and opportunities for joyful worship to members of the community; and

WHEREAS, Bethlehem Christian Church was founded in 1847 by the Reverend William B. Wellons and on October 9 of that same year, two men and five women joined the church as its first official members; and

WHEREAS, the Reverend Wellons served as pastor of Bethlehem Christian Church until 1871, overseeing the growth of a thriving and diverse congregation and helping the church to navigate the ravages of the Civil War; and

WHEREAS, before the Civil War, church leader Thomas J. Kilby guided Bethlehem Christian Church in its decision to join the Eastern Virginia Association of the Southern Christian Church, which later merged with other denominations to form the United Church of Christ; and

WHEREAS, Bethlehem Christian Church was a part of the United Church of Christ until 2003, when it became an independent, nondenominational church that today proudly welcomes members from various denominations and creeds; and

WHEREAS, as Bethlehem Christian Church continued to grow more than a century after its founding, the Reverend Dr. R. E. Brittle led efforts in the 1950s to expand the sanctuary in order to accommodate new members; and

WHEREAS, following the completion of the new sanctuary in 1961, Bethlehem Christian Church subsequently added an education wing in 1971 and more administrative space and a larger fellowship hall in the 1990s; and

WHEREAS, Bethlehem Christian Church has recently begun live streaming its worship services on Facebook, enabling those unable to attend in person the opportunity to feel closer to the community; and

WHEREAS, the members of Bethlehem Christian Church will commemorate the church's 175th anniversary with special events on September 11, 2022; now, therefore, be it

RESOLVED by the House of Delegates, That Bethlehem Christian Church of Suffolk hereby be commended on the occasion of its 175th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Rob Slingluff, pastor of Bethlehem Christian Church, as an expression of the House of Delegates' admiration for the church's legacy of service and its contributions to the Commonwealth.

### HOUSE RESOLUTION NO. 808

*Celebrating the life of Margaret Jackson Smith.*

Agreed to by the House of Delegates, September 7, 2022

WHEREAS, Margaret Jackson Smith, an active and beloved member of the Suffolk community, died on August 31, 2022; and

WHEREAS, Margaret Smith worked tirelessly in her career to prepare the next generations of nurses and health care workers, ultimately retiring from the Louise Obici School of Nursing in Suffolk; and

WHEREAS, Margaret Smith contributed greatly to the beautification of her community through her participation with garden clubs in Petersburg and Colonial Heights; and

WHEREAS, Margaret Smith helped to further various charitable and educational causes and to bring greater awareness to brain-related disorders and disabilities as a founding member of the Pilot Club of Suffolk, a chapter of Pilot International; and

WHEREAS, guided through life by her faith, Margaret Smith enjoyed worship and fellowship with her community at Second Presbyterian Church in Petersburg for many years; and

WHEREAS, preceded in death by her loving husband, Ralph, Sr., Margaret Smith will be fondly remembered and dearly missed by her children, Barbara and Ralph, Jr., and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Margaret Jackson Smith, a cherished member of the Suffolk community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Margaret Jackson Smith as an expression of the House of Delegates' respect for her memory.

### HOUSE RESOLUTION NO. 809

*Nominating persons to be elected to circuit court judgeships.*

Agreed to by the House of Delegates, September 7, 2022

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected to the respective circuit court judgeships as follows:

The Honorable Robert H. Morrison, of Halifax, as a judge of the Tenth Judicial Circuit for a term of eight years commencing October 1, 2022.

The Honorable Matthew P. Snow, of Loudoun, as a judge of the Twentieth Judicial Circuit for a term of eight years commencing December 1, 2022.

### HOUSE RESOLUTION NO. 810

*Nominating a person to be elected to a general district court judgeship.*

Agreed to by the House of Delegates, September 7, 2022

RESOLVED by the House of Delegates, That the following person is hereby nominated to be elected to the respective general district court judgeship as follows:

William R. Fitzpatrick, Esquire, of Loudoun, as a judge of the Twentieth Judicial District for a term of six years commencing December 1, 2022.

### HOUSE RESOLUTION NO. 811

*Nominating a person to be elected to a juvenile and domestic relations district court judgeship.*

Agreed to by the House of Delegates, September 7, 2022

RESOLVED by the House of Delegates, That the following person is hereby nominated to be elected to the respective juvenile and domestic relations district court judgeship as follows:

Brendan U. Dunning, Esquire, of Halifax, as a judge of the Tenth Judicial District for a term of six years commencing October 1, 2022.

### SENATE RESOLUTION NO. 601

*2022 Special Session I operating resolution.*

Agreed to by the Senate, April 4, 2022

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 2022 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 2020-2022 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.

**SENATE RESOLUTION NO. 602**

*Celebrating the life of James Brinkley Chapman.*

Agreed to by the Senate, June 1, 2022

WHEREAS, James Brinkley Chapman, an honorable veteran, esteemed mortician and businessman, dedicated public servant, and beloved member of the Smithfield community, died on March 19, 2022; and

WHEREAS, following his graduation from the former Isle of Wight Training School, James Chapman joined the United States Navy, proudly serving his country in the Pacific Theater during World War II; and

WHEREAS, after studying mortuary science in New York City, James Chapman embarked upon a noble career as a mortician with Pretlow Funeral Home in Smithfield, which he later purchased in 1965 and renamed Pretlow and Chapman Funeral Home; and

WHEREAS, for more than a half-century, James Chapman provided exceptional service and care to families in their time of need as they honored and remembered their departed loved ones; and

WHEREAS, dedicated to the advancement of his industry, James Chapman was a former president and life member of the Virginia Morticians' Association and past president, member, and former treasurer of the Peninsula Funeral Directors Association; and

WHEREAS, James Chapman was elected to the Smithfield Town Council in 1978 and persevered through setbacks to ultimately receive the title of mayor of the Town of Smithfield in 1990, becoming the first African American to hold the position in the town's history; and

WHEREAS, James Chapman would serve more than three decades on the Smithfield Town Council, including 19 years as mayor, making a lasting impact on the community that will resonate for many years to come; and

WHEREAS, James Chapman's most rewarding accomplishments in public service include the annexation of the Rising Star community off Battery Park Road in the 1980s and other public works projects to enhance the quality of life for Smithfield's citizens; and

WHEREAS, as a testament to his legacy in Smithfield, the Smithfield Town Council holds its meetings today in the James B. Chapman Chambers of the Smithfield Center, which was developed during his tenure; and

WHEREAS, active and engaged in his community in various other capacities, James Chapman supported many local and national civic organizations, including the Board of Directors for Covenant Place Apartments in Smithfield, the NAACP, and the Virginia Elks Association, which he served as president for 19 years; and

WHEREAS, dedicated to the well-being of his fellow veterans, James Chapman was a founding organizer of Veterans of Foreign Wars Post 8545 in Smithfield; and

WHEREAS, guided throughout his life by his faith, James Chapman enjoyed worship and fellowship with his community at Main Street Baptist Church in Smithfield, serving five years as president of its Usher Board; and

WHEREAS, James Chapman will be fondly remembered and dearly missed by his nephews, Kevin and Ranya; his godchildren, John, Norma, Selden, Troy, Stacey, James, Benzie, and Michelle; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of James Brinkley Chapman, former mayor of the Town of Smithfield, whose devotion to serving others touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of James Brinkley Chapman as an expression of the Senate of Virginia's respect for his memory.

**SENATE RESOLUTION NO. 603**

*Commending the Alexandria Soccer Association.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the Alexandria Soccer Association, an organization dedicated to providing exceptional soccer and futsal programs for the benefit of members of the Alexandria community, celebrated its 50th anniversary in 2020; and

WHEREAS, the Alexandria Soccer Association was established in 1970 after a group of fathers in Alexandria placed advertisements in a local newspaper, recruited 60 boys interested in playing soccer, and formed a number of neighborhood teams; and

WHEREAS, the Alexandria Soccer Association has continued to grow over the years, adding all-girls teams in the mid-1970s and hiring a full-time executive director to manage the organization in 2011; and

WHEREAS, today, the Alexandria Soccer Association annually serves approximately 6,000 participants of all ages and skill levels and has seen more than 50,000 children and adults utilize its programs; and

WHEREAS, the Alexandria Soccer Association promotes both physical and mental fitness, with nearly all of its participants attending college in recent years, many of whom continue to play varsity or club soccer at the collegiate level; and

WHEREAS, the Alexandria Soccer Association is committed to ensuring individuals from all backgrounds have the opportunity to enjoy the sport of soccer, offering financial aid to one in three participants, including \$675,000 worth of aid in 2021 alone; and

WHEREAS, the Alexandria Soccer Association also supports inclusion through its TOPSoccer program, which engages volunteers in the community to foster opportunities for individuals with mental and physical disabilities to learn and play soccer; and

WHEREAS, the Alexandria Soccer Association's Access4All After School League has been recognized by the U.S. Soccer Foundation as a model partnership between city government, a school system, and a local nonprofit, and the organization's members have shared the success of the program at conferences across the nation; and

WHEREAS, the Alexandria Soccer Foundation has organized one of the largest winter futsal leagues in the country, encouraging the local growth and development of a sport that has long been popular in Europe and South America; and

WHEREAS, the accomplishments of the Alexandria Soccer Association are the result of the efforts of its professional and volunteer coaches and other support staff, who work tirelessly each season to ensure the organization's participants create lasting memories and meaningful relationships while playing the sport of soccer; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Alexandria Soccer Association hereby be commended for its service to the Alexandria community on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Alexandria Soccer Association as an expression of the Senate of Virginia's admiration for the organization's history and its contributions to the Commonwealth.

### SENATE RESOLUTION NO. 604

*Commending the McLean Symphony Orchestra.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the McLean Symphony Orchestra, which has inspired and uplifted countless concertgoers over the years through many high-quality, accomplished performances, celebrated its 50th anniversary in 2021; and

WHEREAS, the origins of the McLean Symphony Orchestra date to 1970, when June and Robert Trayhern, directors of McLean's Academy of Musical Arts, encouraged conductor Dingwall Fleary to organize a grassroots ensemble that would provide the school's faculty and students with the opportunity to perform in a live orchestra; and

WHEREAS, as a result of its initial success, what would become the McLean Symphony Orchestra quickly grew beyond the academy to establish itself as one of the first community orchestras in Northern Virginia that was staffed exclusively by amateur musicians; and

WHEREAS, with early and enthusiastic support from influential members of the McLean community, the first board of directors of what would become the McLean Symphony Orchestra was established in 1971, marking the official beginning of the orchestra's history; and

WHEREAS, originally known as the McLean Chamber Orchestra, the McLean Symphony Orchestra started with approximately 18 to 25 musicians but has since grown to feature more than 60 players; and

WHEREAS, with a mission to cultivate talent and interest in classical music among young people in the local community, the McLean Symphony Orchestra has highlighted many up-and-coming performers over the years, while also providing a stage for several established solo artists in the Washington, D.C., metropolitan area; and

WHEREAS, for the entirety of its existence, the McLean Symphony Orchestra has been masterfully led by Dingwall Fleary, an award-winning conductor whose guidance over the past half-century has been integral to the orchestra's success as it has embraced a broader and more diverse symphonic repertoire; and

WHEREAS, the McLean Symphony Orchestra will honor its golden jubilee with celebratory performances on April 9, 2022, and June 19, 2022, offering attendees the opportunity to revel in and reflect upon the orchestra's impact on the community over the past 50 years; and

WHEREAS, through an untold number of enchanting performances and other activities in the community, the McLean Symphony Orchestra has helped to make Northern Virginia a more wonderful place to call home; now, therefore, be it

RESOLVED by the Senate of Virginia, That the McLean Symphony Orchestra hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Dingwall Fleary, music director and conductor of the McLean Symphony Orchestra, as an expression of the Senate of Virginia's admiration for the orchestra's history and its contributions to the Commonwealth.

**SENATE RESOLUTION NO. 605**

*Commending the Cooper Middle School band.*

Agreed to by the Senate, June 1, 2022

WHEREAS, in 2021, the Cooper Middle School band of McLean was presented the Sudler Cup by the John Philip Sousa Foundation, a prestigious international honor bestowed upon secondary school-level concert bands for outstanding musical achievement; and

WHEREAS, with this honor, the Cooper Middle School band joined the exclusive company of only 60 schools that have been recognized with the Sudler Cup since it was established in 1985; and

WHEREAS, in order to be eligible for the Sudler Cup, the Cooper Middle School band had to achieve and maintain concert excellence for seven consecutive years under the same conductor, among other criteria; and

WHEREAS, on its path to earning the Sudler Cup, the Cooper Middle School band was required to perform at several state and national level conferences and to receive letters of recognition and recommendations from noted educators and conductors; and

WHEREAS, the Sudler Cup embodies the culture of excellence that the Cooper Middle School band has cultivated over the past several years and that will ensure the program continues to impress audiences for many years to come; and

WHEREAS, the success of the Cooper Middle School band is the result of the hard work and dedication of the student-musicians, the leadership and guidance of their band director, Matt Baker, and their teachers, and the unwavering support of their parents and the entire Cooper Middle School community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Cooper Middle School band hereby be commended for receiving the John Philip Sousa Foundation's Sudler Cup in 2021; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Matt Baker, director of the Cooper Middle School band, as an expression of the Senate of Virginia's admiration for the band's accomplishments.

**SENATE RESOLUTION NO. 606**

*Celebrating the life of Officer Trey Marshall Sutton.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Officer Trey Marshall Sutton, a member of the Henrico County Police Division, died in the line of duty on March 30, 2022; and

WHEREAS, a resident of Chesterfield County, Trey Sutton had graduated from the police academy in February 2022 and was undergoing training with the Henrico County Police Division; and

WHEREAS, Trey Sutton was proud to serve and protect his fellow Virginians as a law-enforcement officer and earned the admiration of others for his professionalism and commitment to excellence; and

WHEREAS, Trey Sutton will be fondly remembered and greatly missed by numerous family members, friends, and fellow law-enforcement officers; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Officer Trey Marshall Sutton of the Henrico County Police Division; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Officer Trey Marshall Sutton as an expression of the Senate of Virginia's respect for his memory.

**SENATE RESOLUTION NO. 607**

*Commending the Randolph-Macon College men's basketball team.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the Randolph-Macon College men's basketball team brought home the institution's first national title in any sport with a victory in the National Collegiate Athletic Association Division III Men's Basketball Championship; and

WHEREAS, the Randolph-Macon College Yellow Jackets traveled all the way to Fort Wayne, Indiana, to defeat the Elmhurst University Blue Jays, 75-45, setting a new record for the largest margin of victory in a Division III championship game; and

WHEREAS, although the Elmhurst Blue Jays took a slight lead in the first half, the Randolph-Macon Yellow Jackets responded with a 10-0 run and held a 15-point lead by halftime; the Yellow Jackets started the second half strong and never looked back, cruising to a lopsided win; and

WHEREAS, junior Josh Talbert led the Randolph-Macon Yellow Jackets with 15 points and 11 rebounds, followed by Division III National Player of the Year Buzz Anthony with 14 points and junior Miles Mallory with 10 points and nine rebounds; and

WHEREAS, the Randolph-Macon Yellow Jackets finished the season with an overall record of 33-1 and a perfect 16-0 record against Old Dominion Athletic Conference opponents; and

WHEREAS, the victorious season is a tribute to the skill and determination of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the members of the Randolph-Macon College community, many of whom drove more than 10 hours to cheer for the team in the championship final; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Randolph-Macon College men's basketball team hereby be commended on winning the National Collegiate Athletic Association Division III Men's Basketball Championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Randolph-Macon College men's basketball team as an expression of the Senate of Virginia's admiration for the team's historic achievements and best wishes for the future.

### SENATE RESOLUTION NO. 608

*Celebrating the life of Officer Caleb Daniel Ogilvie.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Officer Caleb Daniel Ogilvie, a highly admired member of the Covington Police Department, was killed in the line of duty on March 14, 2022; and

WHEREAS, Caleb Ogilvie was born in Wisconsin and served his country as a member of the United States Marine Corps, completing two tours of duty in Iraq and Afghanistan; and

WHEREAS, after his honorable military service, Caleb Ogilvie worked with the Masons Cove Volunteer Rescue Squad in Roanoke County from 2011 to 2016 prior to joining the Covington Police Department in 2021; and

WHEREAS, Caleb Ogilvie was well known for his generosity and sense of humor, and he helped produce social media posts for the department to increase engagement with members of the public; and

WHEREAS, Caleb Ogilvie was a trusted mentor and friend to countless fellow United States Marines and law-enforcement officers and always strove to put the needs of others before his own; and

WHEREAS, Caleb Ogilvie's greatest joy in life was his beloved family, and he will be fondly remembered and greatly missed by his wife, Natasha, and their daughters, Emersyn and Wrenley; his daughters Kaleigh and Rilyn and their mother, Malarie; his parents, Daniel and Delora; his siblings, Abigail, Rian, and Benjamin; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Officer Caleb Daniel Ogilvie; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Officer Caleb Daniel Ogilvie as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 609

*Commending the Randolph-Macon College men's basketball team.*

Agreed to by the Senate, June 1, 2022

WHEREAS, in 2022, the Randolph-Macon College men's basketball team brought home the institution's first national title in any sport with a victory in the National Collegiate Athletic Association Division III Men's Basketball Championship; and

WHEREAS, Randolph-Macon College was established in 1830 by the Methodist Church and remains the oldest active institution of its kind in the United States; the institution is currently located in Ashland and has maintained proud traditions of academic excellence, leadership development among its students, and engagement with the community; and

WHEREAS, throughout its history, the Randolph-Macon College men's basketball team has enjoyed generations of success at the regional and national levels under the leadership of legendary coaches like Paul Webb, Hal Nunnally, Mike Rhoades, and Nathan Davis; and

WHEREAS, in the 2021-2022 season, the Randolph-Macon College Yellow Jackets traveled all the way to Fort Wayne, Indiana, to defeat the Elmhurst University Blue Jays, 75-45, setting a new record for the largest margin of victory in a Division III championship game; and

WHEREAS, although the Elmhurst Blue Jays took a slight lead in the first half, the Randolph-Macon Yellow Jackets responded with a 10-0 run and held a 15-point lead by halftime; the Yellow Jackets started the second half strong and never looked back, cruising to a lopsided win; and

WHEREAS, junior Josh Talbert led the Randolph-Macon Yellow Jackets with 15 points and 11 rebounds, followed by Division III National Player of the Year Buzz Anthony with 14 points and junior Miles Mallory with 10 points and nine rebounds; and



WHEREAS, the Randolph-Macon Yellow Jackets finished the season with an overall record of 33-1 and a perfect 16-0 record against Old Dominion Athletic Conference opponents; and

WHEREAS, the victorious season is a tribute to the skill and determination of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the members of the Randolph-Macon College community, many of whom drove more than 10 hours to cheer for the team in the championship final; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Randolph-Macon College men's basketball team hereby be commended on winning the National Collegiate Athletic Association Division III Men's Basketball Championship in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Josh Merkel, head coach of the Randolph-Macon College men's basketball team, as an expression of the Senate of Virginia's admiration for the team's historic achievements and best wishes for the future.

### SENATE RESOLUTION NO. 610

*Commending the Prince William County Arts Council.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 30 years, the Prince William County Arts Council has supported local artists and helped residents of the Greater Prince William Area learn about, experience, and better appreciate the visual and performing arts; and

WHEREAS, the Prince William County Arts Council was established in 1992 to stimulate growth in the local arts sector and help make the arts accessible to residents of Prince William County, Manassas, and Manassas Park; and

WHEREAS, the Prince William County Arts Council coordinates public facility use for local artists, advocates for arts education, and enhances community engagement through a wide range of festivals, programs, and activities; and

WHEREAS, artist members of the Prince William County Arts Council have earned local, regional, statewide, and national recognition for their outstanding work, which reflects the talent, ability, and diversity of the community; and

WHEREAS, to honor and celebrate artists, arts organizations, volunteers, educators, and businesses that demonstrate a commitment to public service and support for the arts, the Prince William County Arts Council presents the annual Kathleen K. Seefeldt Award for Arts Excellence, which is named for the first female chair of the Prince William Board of County Supervisors who also played a key role in the founding of the Prince William County Arts Council; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Prince William County Arts Council hereby be commended on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Prince William County Arts Council as an expression of the Senate of Virginia's admiration for the organization's contributions to cultural life in the Greater Prince William Area.

### SENATE RESOLUTION NO. 611

*Commending BEACON for Adult Literacy.*

Agreed to by the Senate, June 1, 2022

WHEREAS, BEACON for Adult Literacy, a secular ministry of the Benedictine Sisters of Virginia located in Bristow, has helped adults achieve their educational and language goals for 30 years; and

WHEREAS, BEACON for Adult Literacy was established in 1992 by Sister Eileen Heaps, a passionate educator and advocate for people in need, who began tutoring a small group of illiterate adults in a wing of the Saint Benedict Monastery; and

WHEREAS, BEACON for Adult Literacy currently serves hundreds of immigrant adult learners annually with the hard work and support of more than 60 volunteers in several locations in Prince William County and the Cities of Manassas and Manassas Park; and

WHEREAS, BEACON for Adult Literacy offers a wide range of services from English as a second language courses to programs related to workforce development, technology skills, United States citizenship exam preparation, and life skills; and

WHEREAS, among many awards and accolades, BEACON for Adult Literacy has received the Top Community Based Literacy Organization Award from the Department of Education, the Jeannie P. Baliles Award from the Virginia Literacy Foundation, and the Agnes L. Colgan Community Service Award from the Prince William County Chamber of Commerce; now, therefore, be it

RESOLVED by the Senate of Virginia, That BEACON for Adult Literacy hereby be commended on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to BEACON for Adult Literacy as an expression of the Senate of Virginia's admiration for the organization's work to promote literacy and education in Northern Virginia.

**SENATE RESOLUTION NO. 612**

*Commending Linton Hall School.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 100 years, Linton Hall School, a ministry of the Benedictine Sisters of Virginia, has cultivated intellectual excellence and supported spiritual discovery, creativity, environmental awareness, and personal growth among students in Bristow; and

WHEREAS, Linton Hall School is located on a plantation originally called Lintonsford, which was donated by Sarah Elliot Linton to Benedictine monks from Belmont Abbey in North Carolina for the purposes of opening two schools after she joined the Georgetown Visitation Convent; and

WHEREAS, the two schools, one for boys and one for girls, operated on the property until 1922, when the girls' school relocated to Richmond and Linton Hall School was organized as a residential school for boys; and

WHEREAS, Linton Hall School became Linton Hall Military Academy in the 1930s and remained an all-male academy until the 1970s; and

WHEREAS, to better serve the local community, Linton Hall School became a co-educational day school serving students in kindergarten through eighth grade in the 1980s; the school later expanded to include pre-kindergarten and preschool programs; and

WHEREAS, Linton Hall School strives to help students grow in mind, body, and spirit and promotes hard work, self-respect, responsibility, integrity, and friendship in a safe and supportive environment to ensure that young people are prepared to meet whatever challenges they face in the future; and

WHEREAS, generations of students at Linton Hall School have achieved great heights in academics, athletics, and the arts and have gone on to become leaders in many career fields and in their communities; now, therefore, be it

RESOLVED by the Senate of Virginia, That Linton Hall School hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Linton Hall School as an expression of the Senate of Virginia's admiration for the school's legacy of contributions to young people in Northern Virginia.

**SENATE RESOLUTION NO. 613**

*Celebrating the life of Robert Mark Sukol.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Robert Mark Sukol, a highly respected attorney who made many contributions to the drafting of federal law, died on February 11, 2022; and

WHEREAS, a native of Philadelphia, Pennsylvania, Robert "Rob" Sukol cultivated an interest in music at a young age after watching The Beatles perform on The Ed Sullivan Show and later played bass and guitar with several local bands in the area; and

WHEREAS, Rob Sukol graduated from Upper Dublin Senior High School and earned a bachelor's degree from Temple University; he worked for the U.S. Social Security Administration for 10 years, then moved to New Jersey, where he earned a law degree from Rutgers University at the age of 43; and

WHEREAS, Rob Sukol and his family settled in Springfield in 1994, and he began a long and distinguished career with the Office of the Law Revision Counsel of the United States House of Representatives; and

WHEREAS, Rob Sukol drafted or co-drafted numerous revisions to federal law and was the principal drafter for U.S. Code Title 51, National and Commercial Space Programs; and

WHEREAS, Rob Sukol was ultimately promoted to Deputy Law Revision Counsel in 2011; over the course of his career, he helped convert the U.S. Code to a digital format, developed and implemented digital drafting and editing tools, and maintained the agency's codification manual; and

WHEREAS, Rob Sukol was a devoted friend and trusted mentor to his colleagues, earning admiration for his kindness, generosity, and warm personality; and

WHEREAS, Rob Sukol continued to be passionate about music throughout his life and played bass with the band Cover Up in Northern Virginia from 2007 to 2014, including a period when his son David also played drums with the band; he released an extended play album, *Ain't Through Yet*, in 2018; and

WHEREAS, Rob Sukol will be fondly remembered and greatly missed by his wife, Sara; his sons, Sean and David, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Robert Mark Sukol; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Robert Mark Sukol as an expression of the Senate of Virginia's respect for his memory.

**SENATE RESOLUTION NO. 614**

*Celebrating the life of Robert Jordan Berkstresser.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Robert Jordan Berkstresser, accomplished businessman, esteemed public servant, and beloved member of the Lexington community, died on April 14, 2022; and

WHEREAS, Robert "Bobby" Berkstresser attended Danville Community College while working both at Westinghouse Electric Corporation and part time at Midway Machine and Parts, Inc.; and

WHEREAS, in 1975, Bobby Berkstresser realized his dream of owning his own business when he and his cousin Dick opened their own store, Auto Parts and Supply; and

WHEREAS, Bobby Berkstresser developed an impressive portfolio of travel centers and truck stops along the Interstate 81 corridor with the purchase of LEE-HI Travel Plaza in 1981 and White's Travel Center in 2010, building the latter from an operation with eight employees into the largest travel center on the East Coast; and

WHEREAS, Bobby Berkstresser gave generously of his time and resources to various local organizations, supporting fire departments, charities, schools, the local chapter of Habitat for Humanity, and the United Way of Rockbridge, Lexington & Buena Vista; and

WHEREAS, Bobby Berkstresser's leadership was valued on the boards of the Bank of Botetourt, the Rockbridge Area YMCA, the United Way of Rockbridge, Lexington & Buena Vista, the former Carilion Stonewall Jackson Hospital, the Rockbridge Area Republican Committee, the National Association of Truck Stop Operators (NATSO), and more; and

WHEREAS, Bobby Berkstresser proudly represented his constituents as a member of the Rockbridge County Board of Supervisors and contributed greatly to the locality's growth and development over his tenure; and

WHEREAS, Bobby Berkstresser was recognized for his impact in the community and for his efforts to advance the truck stop and travel center industry with his induction into the NATSO Hall of Fame in 2018; and

WHEREAS, guided throughout his life by his faith, Bobby Berkstresser enjoyed worship and fellowship with his community at Marlbrook Baptist Church in Raphine for many years; and

WHEREAS, Bobby Berkstresser will be fondly remembered and dearly missed by his loving wife of 26 years, Sue; his children, Jordan, Kevin, and Corey, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Robert Jordan Berkstresser, a pillar of the Lexington community whose dedication and commitment to serving others were an inspiration to all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Robert Jordan Berkstresser as an expression of the Senate of Virginia's respect for his memory.

**SENATE RESOLUTION NO. 615**

*Commending Sue Hirsh.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Sue Hirsh, an esteemed educator and education administrator, who has admirably served as superintendent of Bath County Public Schools for the past 12 years, will retire on June 30, 2022; and

WHEREAS, in training for her career as an educator, Sue Hirsh attended the University of Denver, graduated from Mary Baldwin College, and later earned degrees in administration from James Madison University; and

WHEREAS, Sue Hirsh embarked upon her noble and illustrious 44-year career with Bath County Public Schools (BCPS) as a teacher at Valley Elementary School, where she would contribute greatly to the growth and development of her students over many years and in various roles; and

WHEREAS, after a promotion to assistant principal at Valley Elementary School, Sue Hirsh moved to the BCPS central office to serve as an elementary supervisor before ultimately returning to the school as principal; and

WHEREAS, prior to becoming superintendent of BCPS, Sue Hirsh served as the division's director of personnel and instruction, fostering a culture in which her students and colleagues could thrive; and

WHEREAS, Sue Hirsh served as interim superintendent beginning on May 1, 2010, and officially assumed the role of superintendent on July 1, 2010, guiding the division with indefatigable energy and great vision and purpose ever since; and

WHEREAS, during her tenure, Sue Hirsh led BCPS through the COVID-19 pandemic and various other challenges, leaving the division poised to continue achieving academic excellence for many years to come; and

WHEREAS, through steadfast resolve and a deep understanding of the BCPS school system to which she dedicated her career, Sue Hirsh has made a profound and lasting impact on the Bath County community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Sue Hirsh hereby be commended on the occasion of her retirement as Bath County Public Schools superintendent; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Sue Hirsh as an expression of the Senate of Virginia's admiration for her contributions to the Commonwealth and best wishes for a happy and fulfilling retirement.

### SENATE RESOLUTION NO. 616

*Commending the Beta Chi Chapter of Kappa Alpha Psi Fraternity, Inc.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 75 years, the Beta Chi Chapter of Kappa Alpha Psi Fraternity, Inc., has provided opportunities for leadership development and community service to young men at Hampton University; and

WHEREAS, Kappa Alpha Psi is the second-oldest historically Black Greek letter fraternity and maintains nearly 700 undergraduate and alumni chapters in every state of the United States and countries around the world; and

WHEREAS, Beta Chi Chapter of Kappa Alpha Psi was chartered on April 19, 1947, at what was then Hampton Institute, and generations of its members have enhanced community life on campus and participated in generous outreach programs over the years; and

WHEREAS, Beta Chi Chapter of Kappa Alpha Psi has hosted public health seminars and blood drives, organized summer enrichment camps and scholarships for young people, and raised funds for St. Jude Children's Research Hospital and the Eva C. Mitchell Playground Project; and

WHEREAS, adhering to its chapter theme, "Achievement In Every Field of Human Endeavor," Beta Chi Chapter of Kappa Alpha Psi has also worked with other philanthropic organizations addressing local, national, and international issues; and

WHEREAS, in recognition of its exceptional accomplishments, Beta Chi Chapter of Kappa Alpha Psi was selected as the Greek Organization of the Year for four consecutive years, from 2012 to 2016; and

WHEREAS, Beta Chi Chapter of Kappa Alpha Psi commemorated its 75th anniversary with a special event on April 19, 2022; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Beta Chi Chapter of Kappa Alpha Psi Fraternity, Inc., hereby be commended on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Beta Chi Chapter of Kappa Alpha Psi Fraternity, Inc., as an expression of the Senate of Virginia's admiration for the organization's achievements in service to the community.

### SENATE RESOLUTION NO. 617

*Commending the Gamma Theta Chapter of Alpha Kappa Alpha Sorority, Inc.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 75 years, the Gamma Theta Chapter of Alpha Kappa Alpha Sorority, Inc., has promoted the principles of sisterhood, scholarship, and high ethical standards among its members and worked to enhance the quality of life throughout Hampton Roads; and

WHEREAS, the Gamma Theta Chapter of Alpha Kappa Alpha was chartered on February 15, 1947, at what was then Hampton Institute, and generations of its members have been inspired by the sorority's mission to be of "service to all mankind"; and

WHEREAS, the Gamma Theta Chapter of Alpha Kappa Alpha is currently guided by the international organization's platform of Exemplifying Excellence through Sustainable Service and its five-point program plan: HBCU for Life: A Call to Action, Women's Healthcare and Wellness, Building Your Economic Legacy, The Arts!, and Global Impact; and

WHEREAS, the Gamma Theta Chapter of Alpha Kappa Alpha provides innovative, impactful, and sustainable community service programs at the local level, such as a scholarship pageant, workshops for students seeking internships and for prospective law school students, voter registration drives, and classes on financial literacy and entrepreneurship; and

WHEREAS, the Gamma Theta Chapter of Alpha Kappa Alpha also seeks to address health disparities in the Black community and offers workshops related to mental and physical health and a cooking class focusing on nutrition and a healthy diet; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Gamma Theta Chapter of Alpha Kappa Alpha Sorority, Inc., hereby be commended on the occasion of its 75th anniversary during the 2021-2022 academic year; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Gamma Theta Chapter of Alpha Kappa Alpha Sorority, Inc., as an expression of the Senate of Virginia's admiration for the organization's commitment to servant-leadership.

**SENATE RESOLUTION NO. 618**

*Commending the Hampton Chapter of The Links, Inc.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 70 years, the Hampton Chapter of The Links, Inc., has worked to enrich, sustain, and support Black communities throughout Hampton and the Commonwealth; and

WHEREAS, The Links, Inc., is the largest and oldest volunteer service organization for Black women in the United States with more than 14,000 members in more than 283 chapters in 41 states and the District of Columbia, as well as the Bahamas; and

WHEREAS, the Hampton Chapter of The Links, Inc., was established on March 2, 1952, with 11 charter members: Frances Anthony, Norvleate Downing, Helen Hart, Julia Moses, Lazinka Murphy, Corinne Scott, Lillian Smith, Juanita Thomas, Minnie Whiting, Emmy Wilson, and Loyce Woodard; and

WHEREAS, the distinguished members of the Hampton Chapter of The Links, Inc., are business and civic leaders, role models, mentors, activists, and volunteers who have enhanced the quality of life in Hampton through their generosity and servant leadership; and

WHEREAS, the Hampton Chapter of The Links, Inc., oversees a wide range of educational, economic development, and advocacy programs under the national organization's five facets of Services to Youth, The Arts, National Trends and Services, International Trends and Services, and Health and Human Services; and

WHEREAS, the Hampton Chapter of The Links, Inc., collaborates with numerous other community organizations and agencies, implements programs through volunteerism, provides financial assistance, raises money for scholarships for high school students and students attending historically Black colleges and universities, and sponsors public education activities; and

WHEREAS, the Hampton Chapter of The Links, Inc., has partnered with the American Red Cross, local chapters of Boys and Girls Clubs of America, faith communities, the Virginia Peninsula Foodbank, Hampton University, Norfolk State University, and the American Heart Association; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Hampton Chapter of The Links, Inc., be commended on the occasion of its 70th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Hampton Chapter of The Links, Inc., as an expression of the Senate of Virginia's admiration for the organization's commitment to community leadership.

**SENATE RESOLUTION NO. 619**

*Commending the Gamma Epsilon Chapter of Omega Psi Phi Fraternity, Inc.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 75 years, the Gamma Epsilon Chapter of Omega Psi Phi Fraternity, Inc., has worked diligently to help young men develop leadership skills and strong character while enhancing the quality of life in Hampton Roads; and

WHEREAS, Omega Psi Phi Fraternity, Inc., was established in 1911 at Howard University and was the first international fraternal organization founded on the campus of a historically Black college or university; and

WHEREAS, in 1946, L. Julian Haywood, a member of Omega Psi Phi, transferred from Howard University to what was then the Hampton Institute and worked with several fellow transfer students to lay the groundwork for a new chapter; and

WHEREAS, the Gamma Epsilon Chapter of Omega Psi Phi was chartered with 15 original members on February 12, 1947, and generations of its members have continued to serve the Hampton University community and the residents of Hampton Roads through numerous outreach programs; and

WHEREAS, the Gamma Epsilon Chapter of Omega Psi Phi supports scholarships for high school students and participates in local health initiatives, voter registration drives, educational workshops, and other social action campaigns; and

WHEREAS, the Gamma Epsilon Chapter of Omega Psi Phi works closely with the local NAACP, participated in the Adopt-A-Teacher Challenge to collect school supplies for local teachers, and coordinated with Dreams of Hope to open a food pantry at Hampton University; and

WHEREAS, the Gamma Epsilon Chapter of Omega Psi Phi commemorated its 75th anniversary with a weekend gala in February 2022; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Gamma Epsilon Chapter of Omega Psi Phi Fraternity, Inc., hereby be commended on the occasion of its 75th anniversary during the 2021-2022 academic year; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Gamma Epsilon Chapter of Omega Psi Phi Fraternity, Inc., as an expression of the Senate of Virginia's admiration for the organization's contributions to the community.

**SENATE RESOLUTION NO. 620**

*Commending the Rho Alpha Chapter of Zeta Phi Beta Sorority, Inc.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 75 years, the Rho Alpha Chapter of Zeta Phi Beta Sorority, Inc., has helped women at Hampton University develop leadership skills and strong character while supporting communities in need throughout Hampton Roads; and

WHEREAS, the Rho Alpha Chapter of Zeta Phi Beta was established at what was then Hampton Institute on February 26, 1947, by five charter members: Vilma Morgan, Alberta Clarke, Rebecca Greene, Loyce Steverson, and Marion Vassar; and

WHEREAS, in addition to promoting academic achievement and fostering a culture of excellence on campus, the Rho Alpha Chapter of Zeta Phi Beta supports numerous organizations that work to address societal issues, including Zetas Helping Other People Excel, Adopt-A-School, Stork's Nest, the March of Dimes, and many others; and

WHEREAS, the Rho Alpha Chapter of Zeta Phi Beta has also fundraised for initiatives related to suicide prevention and hurricane relief, and its members often volunteer at a local food bank or other charitable organizations; and

WHEREAS, the Rho Alpha Chapter of Zeta Phi Beta commemorated its 75th anniversary with a Heart Walk to raise money for the American Heart Association as part of American Heart Month; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Rho Alpha Chapter of Zeta Phi Beta Sorority, Inc., hereby be commended on the occasion of its 75th anniversary in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Rho Alpha Chapter of Zeta Phi Beta Sorority, Inc., as an expression of the Senate of Virginia's admiration for the organization's commitment to community service.

**SENATE RESOLUTION NO. 621**

*Commending the Gamma Iota Chapter of Delta Sigma Theta Sorority, Inc.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 75 years, the Gamma Iota Chapter of Delta Sigma Theta Sorority, Inc., has promoted sisterhood, scholarship, and service and worked diligently to enhance the quality of life in Hampton Roads; and

WHEREAS, the Gamma Iota Chapter of Delta Sigma Theta was chartered on February 8, 1947, at what was then Hampton Institute and is now Hampton University and has since fostered a culture of academic excellence and commitment to servant-leadership among generations of members; and

WHEREAS, the Gamma Iota Chapter of Delta Sigma Theta seeks to address critical issues facing the Black community in Hampton Roads and throughout the Commonwealth with outreach programs related to economic development, education, health, and community engagement; and

WHEREAS, the Gamma Iota Chapter of Delta Sigma Theta hosts seminars and workshops to raise awareness about economic empowerment opportunities, breast cancer, Alzheimer's disease, domestic violence, ageism, and local and international current events; and

WHEREAS, among its many programs, members of the Gamma Iota Chapter of Delta Sigma Theta organize a Trunk or Treat at Halloween, yoga classes, and fundraisers for children in need; and

WHEREAS, the Gamma Iota Chapter of Delta Sigma Theta commemorated its 75th anniversary with a special event and fundraiser for current members and alumnae; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Gamma Iota Chapter of Delta Sigma Theta Sorority, Inc., hereby be commended on the occasion of its 75th anniversary during the 2021-2022 academic year; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Gamma Iota Chapter of Delta Sigma Theta Sorority, Inc., as an expression of the Senate of Virginia's admiration for the organization's contributions to the community.

**SENATE RESOLUTION NO. 622**

*Commending the Beta Gamma Chapter of Phi Beta Sigma Fraternity, Inc.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 75 years, the Beta Gamma Chapter of Phi Beta Sigma Fraternity, Inc., has helped young men at Hampton University develop bonds of brotherhood and maintain a strong commitment to excellence in scholarship and in service to their communities; and

WHEREAS, the Beta Gamma Chapter of Phi Beta Sigma was chartered on February 19, 1947, at what was then Hampton Institute, and generations of members have worked diligently to serve the campus community while seeking opportunities to enhance life in Hampton Roads; and

WHEREAS, among many community outreach programs, the Beta Gamma Chapter of Phi Beta Sigma sponsors an annual scholarship pageant for high school students, offers financial management classes, and hosts voter registration drives and workshops on important issues like mental health and domestic violence; and

WHEREAS, during the COVID-19 pandemic, the Beta Gamma Chapter of Phi Beta Sigma helped ensure that local public school students were prepared for remote learning by delivering laptops and mobile hotspots to those in need; and

WHEREAS, the Beta Gamma Chapter of Phi Beta Sigma also hosted food drives to provide supplemental meals for students who typically relied on school breakfast and lunch programs; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Beta Gamma Chapter of Phi Beta Sigma Fraternity, Inc., be commended on the occasion of its 75th anniversary during the 2021-2022 academic year; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Beta Gamma Chapter of Phi Beta Sigma Fraternity, Inc., as an expression of the Senate of Virginia's admiration for the organization's achievements in service to others.

### SENATE RESOLUTION NO. 623

*Commending the Virginia Polytechnic Institute and State University men's basketball team.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the Virginia Polytechnic Institute and State University men's basketball team won the Atlantic Coast Conference tournament championship at the Barclays Center in Brooklyn, New York, on March 12, 2022; and

WHEREAS, the Virginia Tech Hokies defeated the Duke University Blue Devils by a score of 82-67 to secure the university's first ever Atlantic Coast Conference men's basketball tournament championship title; and

WHEREAS, after going into the half, narrowly ahead by 42-39, the Virginia Tech Hokies quickly jumped out to a double-digit advantage early in the second half and held at least a five-point lead for the remainder of the contest; and

WHEREAS, the Virginia Tech Hokies' historic win was a total team effort, with standout performances from the Atlantic Coast Conference tournament's Most Valuable Player Hunter Cattoor, who scored a career-high 31 points while shooting seven for nine from beyond the arc, and Keve Aluma, who had 19 points, 10 rebounds, and seven assists on the day; and

WHEREAS, entering the Atlantic Coast Conference tournament as the seventh seed, the Virginia Tech Hokies pulled off four wins in four straight days to become the lowest-seeded team to win the championship in the history of the tournament; and

WHEREAS, by also winning 13 of 15 games in the run up to its Atlantic Coast Conference tournament championship win, the Virginia Tech Hokies punched their ticket to the 2022 National Collegiate Athletic Association tournament in commanding fashion; and

WHEREAS, the success of the Virginia Tech Hokies is the result of the dedication and hard work of the student-athletes, the leadership and guidance of their coaches and trainers, and the unwavering support of the entire Virginia Tech community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Virginia Polytechnic Institute and State University men's basketball team hereby be commended for winning the 2022 Atlantic Coast Conference tournament championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Mike Young, head coach of the Virginia Polytechnic Institute and State University men's basketball team, as an expression of the Senate of Virginia's admiration for the team's achievement.

### SENATE RESOLUTION NO. 624

*Celebrating the life of Joseph Buford Tompkins, Jr.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Joseph Buford Tompkins, Jr., an esteemed attorney, devoted civic activist, and beloved member of the Fairfax County community, died on April 15, 2022; and

WHEREAS, born in Vinton, Joseph "Joe" Tompkins earned a bachelor's degree from Washington & Lee University in 1971 and both a juris doctor degree from Harvard Law School and a master's degree in public policy from the Harvard Kennedy School in 1975; and

WHEREAS, over his distinguished law career, Joe Tompkins worked in the Criminal Division of the U.S. Department of Justice from 1979 to 1982, including as deputy chief of its Fraud Section from 1980 to 1982, and was also a practicing attorney at Sidley Austin LLP for more than 40 years, both before and after his tenure at the U.S. Department of Justice; and

WHEREAS, as a result of his outstanding work as a litigator, Joe Tompkins has been recognized by many prestigious publications, including *The Legal 500 United States*; *Super Lawyers*, where he has been listed as a "Top Rated Lawyer" for several years; and *Continental Who's Who*, which identified him as a Pinnacle Lifetime Professional in the field of law; and

WHEREAS, Joe Tompkins was an engaged member of the community and a dedicated civic activist, serving as a poll greeter for years at the Hollin Hall precinct in Fairfax County and regularly hosting the annual Mount Vernon Democrats' ice cream social in his front yard; and

WHEREAS, Joe Tompkins took great joy in spending time with his family and was a generous mentor who quietly and selflessly supported the success and well-being of his colleagues and friends; and

WHEREAS, guided throughout his life by his faith, Joe Tompkins enjoyed worship and fellowship with his community at Aldersgate United Methodist Church in Fort Hunt, where he served as a leader on the endowment committee; and

WHEREAS, Joe Tompkins was integral to the establishment and oversight of Aldersgate United Methodist Church's Not Too Far From Here Fund, a charitable grant program designed to provide housing, medical care, and other emergency services to local individuals and families in need; and

WHEREAS, Joe Tompkins will be fondly remembered and dearly missed by his children, Graves and Forbes, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Joseph Buford Tompkins, Jr., an accomplished attorney and cherished member of the Fairfax County community whose service and integrity were an inspiration to all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Joseph Buford Tompkins, Jr., as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 625

*Commending the Gamma Iota Chapter of Alpha Phi Alpha Fraternity, Inc.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 75 years, the Gamma Iota Chapter of Alpha Phi Alpha Fraternity, Inc., has helped young men at Hampton University develop leadership skills and has conducted generous outreach to the members of the community; and

WHEREAS, Alpha Phi Alpha Fraternity, Inc., was founded in 1906 on the campus of Cornell University by seven college students who recognized a need for a strong bond of brotherhood among African descendants in America; Alpha Phi Alpha Fraternity, Inc., is the oldest Greek letter organization founded by and for African American men; and

WHEREAS, the Gamma Iota Chapter of Alpha Phi Alpha was chartered at what was then Hampton Institute with 15 original members on February 9, 1947, and generations of brothers have upheld the organization's core principles of scholarship, fellowship, good character, and the uplifting of humanity; and

WHEREAS, the Gamma Iota Chapter of Alpha Phi Alpha has provided generous scholarships for local students, provided snacks and support for college students during final exams, raised awareness of breast cancer and AIDS, and supported numerous service programs, including My Brother's Keeper and Project Alpha; and

WHEREAS, the Gamma Iota Chapter of Alpha Phi Alpha worked with members of Delta Sigma Theta Sorority to raise money and collect school supplies for local teachers through the Adopt-A-Teacher Challenge; and

WHEREAS, members of the Gamma Iota Chapter of Alpha Phi Alpha have also volunteered their time at Y.H. Thomas Community Center, Queen Street Baptist Church, and the Ronald McDonald House; and

WHEREAS, the Gamma Iota Chapter of Alpha Phi Alpha commemorated its 75th anniversary with a special event on February 9, 2022, at Hampton University; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Gamma Iota Chapter of Alpha Phi Alpha Fraternity, Inc., hereby be commended on the occasion of its 75th anniversary during the 2021-2022 academic year; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Gamma Iota Chapter of Alpha Phi Alpha Fraternity, Inc., as an expression of the Senate of Virginia's admiration for the organization's contributions to the community.

### SENATE RESOLUTION NO. 626

*Commending Mount Zion Baptist Church of Powhatan.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 150 years, Mount Zion Baptist Church of Powhatan has provided spiritual guidance, generous community outreach, and opportunities for joyful worship to the members of the community; and

WHEREAS, Mount Zion Baptist Church traces its roots to the period after the Emancipation Proclamation, when a group of formerly enslaved Christians desired to create a place of their own to worship; and

WHEREAS, at the time, residents of the Smith's Crossroads community had to travel great distances to find a house of worship and instead held prayer meetings in small groups to make religious services readily available for all; and



WHEREAS, to better serve this community, Mount Zion Baptist Church was established in 1872, with Isaac Braxton, Sam Braxton, Henry Brown, Fannie Brown, Stephen Brown, Frank Falcon, A. D. Hewitt, T. G. Hewitt, Edith Howell, Sarah Jackson, Hennible Lee, Nancy Lee, Ann Mosby, and Rebecca Pittman as founding members; and

WHEREAS, land for the new church was given by Pembroke Mosby, and the Reverend Alfred Morris was the first elected pastor of Mount Zion Baptist Church; and

WHEREAS, by 1939, the Mount Zion Baptist Church congregation had outgrown the original one-room church built in 1872, and at a church meeting, a motion was made by J. P. Bell to construct a new sanctuary; and

WHEREAS, the members of the Mount Zion Baptist Church congregation worked diligently to raise enough money to build a new church, and after 11 years, the new structure was dedicated on the second Sunday in March 1950; and

WHEREAS, Mount Zion has benefited from the leadership and guidance of fifteen duly elected pastors throughout its 150-year history; and

WHEREAS, through the visionary leadership and support of the pastor, deacons, trustees, and members, Mount Zion Baptist Church was able to build an addition to the 1950 structure, which was completed in 1999; and

WHEREAS, the congregation of Mount Zion Baptist Church has continued to grow in faith and number, while preserving its proud heritage, and the church remains a steadfast beacon of hope for those in the community in need; and

WHEREAS, in the course of its history, Mount Zion Baptist Church has supported the community through local food banks, the Christmas Mother program, Autism Speaks, the American Cancer Society, Habitat for Humanity, the American Red Cross, the Powhatan Free Clinic, the Powhatan Rescue Squad, and, as a participating member, the Powhatan Coalition of Churches; and

WHEREAS, the members of Mount Zion Baptist Church will commemorate the church's 150th anniversary with special events on October 15 and 16, 2022; now, therefore, be it

RESOLVED by the Senate of Virginia, That Mount Zion Baptist Church of Powhatan hereby be commended on the occasion of its 150th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Reverend Bryan J. Stevens, pastor of Mount Zion Baptist Church of Powhatan, as an expression of the Senate of Virginia's admiration for the congregation's long history and legacy of contributions to the community.

### SENATE RESOLUTION NO. 627

*Commending Colonel Darl Eugene Everett, Jr., USA, Ret.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Colonel Darl Eugene Everett, Jr., USA, Ret., whose contributions to various organizations in the Department of the Army and dedication to training and educating military and civilian personnel in sustainment operations throughout the Commonwealth and the nation, retired from the United States Army on April 1, 2022, after 32 years of honorable service; and

WHEREAS, Darl Everett, Jr., the youngest child born to Darl Eugene Everett, Sr., a retired police lieutenant, and Ruth Ann Scales Everett, a retired Kansas state government professional, was born on September 8, 1966, and raised in Topeka, Kansas; and

WHEREAS, Darl Everett, Jr., enlisted in the United States Army on July 15, 1989, and began his service as a motor transport operator (88M), assigned to the 125th Transportation Company in Osage City, Kansas; and

WHEREAS, while attending the University of Kansas, Darl Everett, Jr., joined the institution's Reserve Officer Training Corps (Jayhawk Battalion) and was commissioned as a second lieutenant on March 3, 1992; and

WHEREAS, after graduating from the University of Kansas with a bachelor's degree in communications, Darl Everett, Jr., completed the Chemical Officer Basic Course at Fort McClellan, Alabama, in late 1992, then subsequently moved to Birmingham, Alabama, where he served as a platoon leader with the 318th Chemical Company; and

WHEREAS, Darl Everett, Jr., was employed by the Federal Express Corporation in Birmingham, Alabama, when he was notified of his selection to enter active duty on July 15, 1996; he was assigned to the 826th Ordnance Company in Madison, Wisconsin, then transferred to the United States Army Transportation Corps in 1999; and

WHEREAS, Darl Everett, Jr., graduated from the U.S. Army Transportation Advanced Course at Fort Eustis and the Captain's Career Course at Fort Lee, then was assigned to the 313th Transportation Battalion (Motor Transport) in Baltimore, Maryland, in 2001; and

WHEREAS, Darl Everett, Jr., was assigned to the 91st Training Division in Dublin, California, for one year, then cross-leveled to the 1398th Deployment Support Brigade and deployed to Iraq as the Iraq team commander in support of Operation Iraqi Freedom from 2005 to 2006; upon completion of his tour in Iraq, he was transferred to Gainesville, Florida, as executive officer of the 257th Transportation Battalion (Movement Control); and

WHEREAS, Darl Everett, Jr., was then selected to attend the Resident U.S. Army Intermediate Education Course at Fort Leavenworth, Kansas, and graduated in 2010; he was subsequently transferred to the 648th Regional Support Group as operations officer from 2010 to 2012; and

WHEREAS, Darl Everett, Jr., was selected as the deputy commander at the United States Army Garrison, Fort Hunter Liggett, California, where he served until late 2014; he attended the United States Army War College at Carlisle Barracks, Pennsylvania, then transferred to the 55th Sustainment Brigade located at Fort Belvoir; and

WHEREAS, while assigned to the 55th Sustainment Brigade as the Brigade Support Operations Officer, Darl Everett, Jr., graduated from the United States Army War College with a master's degree in strategic studies on July 24, 2015; and

WHEREAS, Darl Everett, Jr., was then selected for a nominative assignment with the Region 1 Defense Coordinating Element of the Federal Emergency Management Agency in Boston, Massachusetts, where he served as the deputy defense coordinating officer until July 15, 2018; he later transferred to the United States Army Combined Arms Support Command at Fort Lee, where he served as the chief of staff to the deputy commanding general of the United States Army Reserve from July 2018 until his retirement in 2022; and

WHEREAS, among many awards and accolades, Darl Everett, Jr., received the Legion of Merit for his outstanding achievements during his 32-year career in the United States Army; and

WHEREAS, after his well-earned retirement from the United States Army, Darl Everett, Jr., settled in Chesterfield with his wife, LuSundra, and children, Darl III and Donavyn Elise; now, therefore, be it

RESOLVED by the Senate of Virginia, That Colonel Darl Eugene Everett, Jr., USA, Ret., hereby be commended for his honorable and dedicated service to the United States Army and for his contributions as a distinguished leader in the United States Army Sustainment community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Colonel Darl Eugene Everett, Jr., USA, Ret., as an expression of the Senate of Virginia's admiration for his dedicated service to the United States.

### SENATE RESOLUTION NO. 628

*Commending the Reverend Brian M. Rafferty.*

Agreed to by the Senate, June 1, 2022

WHEREAS, for 35 years, the Reverend Brian M. Rafferty has served numerous communities in the Commonwealth as a trusted and inspirational faith leader; and

WHEREAS, a native of Pittsburgh, Pennsylvania, Brian Rafferty graduated from Bishop Canevin High School and earned a bachelor's degree from Allegheny College; he continued his education at George Mason University, the Notre Dame Pontifical Institute, and St. Mary's Seminary and University; and

WHEREAS, throughout the 1970s and 1980s, Brian Rafferty served the nation as an employee of the United States Food and Drug Administration; during that period, he also served with the Pennsylvania National Guard and the United States Army Reserves; and

WHEREAS, Brian Rafferty answered the call to the ministry in 1987 when he was ordained to the permanent diaconate of the Diocese of Arlington; he served at St. John Neumann Parish in Reston and was the chaplain of the Fairfax County Police Department; and

WHEREAS, from 1988 to 1989, Brian Rafferty conducted his postulancy at St. Agnes Our Lady of Fatima Parish in Cleveland, Ohio, during which time he also served as chaplain of Mount Sinai Hospital; and

WHEREAS, Brian Rafferty became a member of the Missionary Servants of the Most Holy Trinity and completed his novitiate period at the Trinitarian House in Silver Spring, Maryland; and

WHEREAS, Brian Rafferty was incardinated in the Diocese of Richmond in 1991 and served at St. Augustine Parish while working as chaplain for the Chesterfield County Police Department and Chippenham Hospital; and

WHEREAS, Brian Rafferty was ordained as a priest in 1994 and pastored St. Mary Mother of God Catholic Church in Wytheville and St. Edward Catholic Church in Pulaski until 1997; and

WHEREAS, Brian Rafferty served as pastor of Christ the King Catholic Church in Norfolk from 1997 to 2010, and he became the chaplain of the Norfolk Police Department in 2002; most recently, he served as priest of St. Stephen, Martyr Catholic Church in Chesapeake from 2010 until the present; and

WHEREAS, Brian Rafferty mentored and inspired countless young people through his long affiliation with the Boy Scouts of America, earning numerous awards and accolades for his leadership of Scouts in the Diocese of Richmond and in the Tidewater Council of the Boy Scouts of America; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Reverend Brian M. Rafferty hereby be commended for his legacy of service to communities throughout the Commonwealth as a spiritual leader; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Reverend Brian M. Rafferty as an expression of the Senate of Virginia's admiration for his achievements.

**SENATE RESOLUTION NO. 629**

*Celebrating the life of the Reverend Robert L. Nock.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the Reverend Robert L. Nock of Parksley, a longtime employee of the National Aeronautics and Space Administration, dedicated community volunteer, and inspirational spiritual leader, died on March 2, 2022; and

WHEREAS, a native of Nelsonia, Robert Nock attended Accomack County Public Schools and earned associate degrees from the National Radio Institute and Capital Radio Engineering Institute; and

WHEREAS, in 1973, Robert Nock began a 43-year career with the National Aeronautics and Space Administration as an electronics technician at Wallops Flight Facility; and

WHEREAS, Robert Nock was passionate about community leadership and volunteered his time and wise insights to the Accomack-Northampton Planning District Commission, the Accomack County Board of Zoning Appeals, and the Accomack & Northampton Electric Cooperative; and

WHEREAS, Robert Nock was a devout member of Metompkin Baptist Church in Parksley, where he taught Sunday school and served as chair of the deacon's ministry; he was ordained in December 2002 and went on to serve as pastor of St. Mary's Baptist Church in Jamesville; and

WHEREAS, Robert Nock will be fondly remembered and greatly missed by his wife of 52 years, Yvonne; his daughter, Tracy; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of the Reverend Robert L. Nock; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of the Reverend Robert L. Nock as an expression of the Senate of Virginia's respect for his memory.

**SENATE RESOLUTION NO. 630**

*Celebrating the life of Catherine Agustiady-Becker, DO.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the specialty of emergency medicine and the Virginia College of Emergency Physicians lost a rising physician leader, compassionate physician, colleague, and friend in Catherine Agustiady-Becker, DO, who passed away on May 3, 2021; and

WHEREAS, Dr. Agustiady-Becker was a distinguished graduate of the State University of New York (SUNY) at Buffalo and the University of New England College of Osteopathic Medicine and completed her emergency medicine residency at SUNY at Buffalo; and

WHEREAS, Dr. Agustiady-Becker was respected for her compassionate care of her patients and clinical acumen; she appreciated the diversity of emergency medicine and the unique opportunity she had to care for patients at the time when they needed it most; and

WHEREAS, Dr. Agustiady-Becker was dedicated to physician leadership and was a rising leader at the Virginia College of Emergency Physicians (VACEP) and in the field of emergency medicine; and

WHEREAS, Dr. Agustiady-Becker was a former leadership and advocacy fellow at VACEP, where she developed a mentorship platform within the college; she was not only dedicated to her patients but to changing the policies and practices of emergency medicine for the greater good; and

WHEREAS, Dr. Agustiady-Becker was devoted to physician wellness and balance between professional development and family life; she wrote about her experiences as an emergency physician and the challenges all physicians face with candor and wrote eloquently of her love of the practice of emergency medicine; and

WHEREAS, Dr. Agustiady-Becker was a world traveler and avid outdoorswoman who loved to hike; above all, she was a devoted mother, a loving wife, and a caring daughter to her mother, who had always been her role model; and

WHEREAS, Dr. Agustiady-Becker will be fondly remembered and dearly missed by her husband, Jacob; her sons, Wyatt, Theodore, and Quentin; her extended family, friends, and colleagues; and the countless patients and physicians across the country whom she selflessly served; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Catherine Agustiady-Becker, DO, a rising star in emergency medicine; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Catherine Agustiady-Becker, DO, as an expression of the Senate of Virginia's respect for her memory.

**SENATE RESOLUTION NO. 631**

*Celebrating the life of Robin Rich-Coates.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Robin Rich-Coates, a respected educator who made many contributions to the students of Eastern Shore Community College during her distinguished career, died on May 10, 2022; and

WHEREAS, Robin Rich-Coates earned a bachelor's degree from what is now James Madison University and a master's degree from what is now the Virginia Commonwealth University School of Medicine; and

WHEREAS, over the course of her four-decade career in education, Robin Rich-Coates worked at the Virginia Institute of Marine Science, Central High School, and Eastern Shore Community College, where she was an associate professor of biology and chemistry for 34 years; and

WHEREAS, Robin Rich-Coates went above and beyond to engage with students and help them achieve their fullest potential in and out of the classroom; she held leadership roles on numerous campus committees, served as vice president of academic and student affairs, and was a driving force behind the institution's annual science fair; and

WHEREAS, Robin Rich-Coates received several teacher of the year awards and earned the Virginia Community College System Chancellor's Award for Teaching Excellence; and

WHEREAS, Robin Rich-Coates also served as faculty advisor for the Phi Theta Kappa international honor society for 28 years, earning regional and national accolades for her visionary leadership; and

WHEREAS, in 1990, Robin Rich-Coates was elected to the Eastern Shore Soil and Water Conservation District Board of Directors and helped promote the organization's mission by establishing a popular Arbor Day event and an Envirothon; and

WHEREAS, Robin Rich-Coates will be fondly remembered and greatly missed by her husband, Curtis, and numerous other family members, friends, and former students; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Robin Rich-Coates, a devoted educator who touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Robin Rich-Coates as an expression of the Senate of Virginia's respect for her memory.

**SENATE RESOLUTION NO. 632**

*Commending the Metz Middle School NASA TechRise Student Challenge team.*

Agreed to by the Senate, June 1, 2022

WHEREAS, in 2022, the Metz Middle School NASA TechRise Student Challenge team of Manassas was selected from a pool of more than 600 qualified applicants across the country to build an experiment that will be tested aboard a suborbital rocket; and

WHEREAS, administered by the organization Future Engineers, the NASA TechRise Student Challenge allows exceptional students like those at Metz Middle School to seek a deeper understanding of the Earth's atmosphere, space exploration, coding, electronics, and data testing by proposing experiments that can be operated autonomously from a rocket or high-altitude balloon; and

WHEREAS, driven by an interest in Mars colonization, the Metz Middle School NASA TechRise Student Challenge team, Purple Wind, developed an experiment to test how windy conditions on Mars could be harnessed to power LED light boards for vegetation growth; and

WHEREAS, Purple Wind's experiment specifically tests how microgravity would affect the luminosity of such LED light boards; and

WHEREAS, Purple Wind ably represented Virginia as one of only two winning teams from the Commonwealth, the only middle school winning team from the Commonwealth, and one of only 57 winning teams nationwide; winning teams were selected by a slate of nearly 500 volunteer judges, including teachers, NASA personnel, and subject matter experts; and

WHEREAS, as a winning team, Purple Wind will receive \$1,500 and a suite of materials to prepare their experiment, access to flight simulator software, and technical support from experts; the team's payload will be placed aboard a suborbital rocket expected to launch in spring 2023, allowing the experiment to be performed in microgravity conditions; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Metz Middle School NASA TechRise Student Challenge team be commended on being selected to build an experiment for testing aboard a suborbital rocket; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Carey Hancey, sponsor of the Metz Middle School NASA TechRise Student Challenge team, as an expression of the Senate of Virginia's admiration for the team's achievements and best wishes for their upcoming experiment at the edge of space.

**SENATE RESOLUTION NO. 633**

*Commending the Aviation Institute of Maintenance and Prince William County Public Schools Career Technical Education.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the Aviation Institute of Maintenance and Prince William County Public Schools Career Technical Education received a 2022 Business Partnership of the Year award for their collaborative work to enhance student achievement in Prince William County; and

WHEREAS, selected by SPARK, the education foundation for Prince William County Public Schools, the Business Partnership of the Year awards recognize outstanding coordinated efforts in community outreach between local businesses and school entities; and

WHEREAS, the Aviation Institute of Maintenance and Prince William County Public Schools Career Technical Education have worked together to provide Federal Aviation Administration-approved aviation maintenance programs to local students; and

WHEREAS, students in the Aviation Institute of Maintenance and Prince William County Public Schools Career Technical Education program have gained real-world experience and cultivated pathways into a career in the aviation industry; and

WHEREAS, the Aviation Institute of Maintenance and Prince William County Public Schools Career Technical Education received the 2022 Business Partnership of the Year award at a special ceremony hosted by the Prince William County superintendent of schools and members of the Prince William County School Board and sponsored by RRMM Architects and Micron Technology; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Aviation Institute of Maintenance and Prince William County Public Schools Career Technical Education hereby be commended on winning a 2022 Business Partnership of the Year award; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare copies of this resolution for presentation to the Aviation Institute of Maintenance and Prince William County Public Schools Career Technical Education as an expression of the Senate of Virginia's admiration for their accomplishments on behalf of students.

**SENATE RESOLUTION NO. 634**

*Commending UVA Health.*

Agreed to by the Senate, June 1, 2022

WHEREAS, UVA Health received a 2021 Business Partnership of the Year award for its collaborative work to enhance student safety and wellness in Prince William County; and

WHEREAS, selected by SPARK, the education foundation for Prince William County Public Schools, the Business Partnerships of the Year awards recognize outstanding coordinated efforts in community outreach between local businesses and school entities; and

WHEREAS, UVA Health, then known as Novant Health, worked with Prince William County Public Schools, Manassas City Public Schools, and Manassas Park City Schools to organize COVID-19 vaccination clinics for the school divisions' employees; and

WHEREAS, in February 2021, UVA Health hosted a vaccination clinic at Unity Reed High School for faculty and staff members of Manassas City Public Schools and Manassas Park City Schools; and

WHEREAS, UVA Health worked diligently to address the needs of Prince William County Public Schools, a large school division with more than 11,000 employees, by hosting several vaccination clinics for school staff over the course of several weeks; and

WHEREAS, UVA Health received the 2021 Business Partnership of the Year award at a special ceremony hosted by the Prince William County superintendent of schools and members of the Prince William County School Board and sponsored by RRMM Architects and Micron Technology; now, therefore, be it

RESOLVED by the Senate of Virginia, That UVA Health hereby be commended on winning a 2021 Business Partnership of the Year award; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to UVA Health as an expression of the Senate of Virginia's admiration for its accomplishments on behalf of students.

**SENATE RESOLUTION NO. 635**

*Commending Park Valley Church and Mountain View Elementary School.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Park Valley Church and Mountain View Elementary School received a 2022 Business Partnership of the Year award for their collaborative work to enhance student achievement in Prince William County; and

WHEREAS, selected by SPARK, the education foundation for Prince William County Public Schools, the Business Partnership of the Year awards recognize outstanding coordinated efforts in community outreach between local businesses and school entities; and

WHEREAS, the decade-long partnership between Park Valley Church and Mountain View Elementary School has served local youths and their families in many ways and has helped cultivate a strong sense of community in the area; and

WHEREAS, program coordinator Sylvia Boone, along with counselors and social workers at Mountain View Elementary School, work with local families to develop wish lists for children in need, which are fulfilled by volunteers from Park Valley Church; and

WHEREAS, Park Valley Church and Mountain View Elementary School received the 2022 Business Partnership of the Year award at a special ceremony hosted by the Prince William County superintendent of schools and members of the Prince William County School Board and sponsored by RRMM Architects and Micron Technology; now, therefore, be it

RESOLVED by the Senate of Virginia, That Park Valley Church and Mountain View Elementary School hereby be commended on winning a 2022 Business Partnership of the Year award; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare copies of this resolution for presentation to Park Valley Church and Mountain View Elementary School as an expression of the Senate of Virginia's admiration for their accomplishments on behalf of students.

**SENATE RESOLUTION NO. 636**

*Commending the Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and Minnieville Elementary School.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and Minnieville Elementary School received a 2022 Business Partnership of the Year award for their collaborative work to enhance student achievement in Prince William County; and

WHEREAS, selected by SPARK, the education foundation for Prince William County Public Schools, the Business Partnership of the Year awards recognize outstanding coordinated efforts in community outreach between local businesses and school entities; and

WHEREAS, the Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and Minnieville Elementary School have worked together to support students through a wide range of programs, including a literacy initiative, a bookmobile, and a clothing drive to provide hats and gloves during the winter; and

WHEREAS, during the COVID-19 pandemic, the Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter delivered hundreds of child-sized face masks and helped Minnieville Elementary School create a socially distanced learning playground; and

WHEREAS, the Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and Minnieville Elementary School received the 2022 Business Partnership of the Year award at a special ceremony hosted by the Prince William County superintendent of schools and members of the Prince William County School Board and sponsored by RRMM Architects and Micron Technology; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and Minnieville Elementary School hereby be commended on winning a 2022 Business Partnership of the Year award; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare copies of this resolution for presentation to the Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and Minnieville Elementary School as an expression of the Senate of Virginia's admiration for their accomplishments on behalf of students.

**SENATE RESOLUTION NO. 637**

*Commending Radhika Bajaj.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Radhika Bajaj received the 2022 Sharon Henry Partner in Education Award for her work to nurture strong and consistent reading practices among Prince William County students as the founder and president of Bookworm Central; and

WHEREAS, selected by SPARK, the education foundation for Prince William County Public Schools, and named for a former SPARK executive director, the Sharon Henry Partner in Education Award recognizes outstanding contributions to student achievement in Prince William County; and

WHEREAS, Radhika Bajaj serves on numerous boards and committees that support the work of local schools and the educational process, and she works closely with school administrators and community partners to identify and address literacy challenges; and

WHEREAS, for more than 30 years, Radhika Bajaj has promoted a love of reading through the book distributorship Bookworm Central in many ways, including by fundraising for school book fairs and sponsoring literacy programs for at-risk students; and

WHEREAS, Radhika Bajaj received the 2022 Sharon Henry Partner in Education Award at a special ceremony hosted by the Prince William County superintendent of schools and members of the Prince William County School Board and sponsored by RRMM Architects and Micron Technology; now, therefore, be it

RESOLVED by the Senate of Virginia, That Radhika Bajaj hereby be commended on winning the 2022 Sharon Henry Partner in Education Award; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Radhika Bajaj as an expression of the Senate of Virginia's admiration for her personal and professional achievements and her many contributions to promote childhood literacy.

**SENATE RESOLUTION NO. 638**

*Commending Sentara Northern Virginia Medical Center and the School of Practical Nursing at Osbourn Park High School.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Sentara Northern Virginia Medical Center and the School of Practical Nursing at Osbourn Park High School received a 2021 Business Partnership of the Year award for their collaborative work to enhance student achievement in Prince William County; and

WHEREAS, selected by SPARK, the education foundation for Prince William County Public Schools, the Business Partnership of the Year awards recognize outstanding coordinated efforts in community outreach between local businesses and school entities; and

WHEREAS, Sentara Northern Virginia Medical Center and the School of Practical Nursing at Osbourn Park High School have helped more than 300 students gain valuable experience and achieve their mandatory clinical training hours at the hospital facility; and

WHEREAS, Sentara Northern Virginia Medical Center and the School of Practical Nursing at Osbourn Park High School have also supported numerous scholarships, ensuring that students are able to fulfill their dreams and pursue a career in the health care field; and

WHEREAS, Sentara Northern Virginia Medical Center and the School of Practical Nursing at Osbourn Park High School received the 2021 Business Partnership of the Year award at a special ceremony hosted by the Prince William County superintendent of schools and members of the Prince William County School Board and sponsored by RRMM Architects and Micron Technology; now, therefore, be it

RESOLVED by the Senate of Virginia, That Sentara Northern Virginia Medical Center and the School of Practical Nursing at Osbourn Park High School hereby be commended on winning a 2021 Business Partnership of the Year award; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare copies of this resolution for presentation to Sentara Northern Virginia Medical Center and the School of Practical Nursing at Osbourn Park High School as an expression of the Senate of Virginia's admiration for their accomplishments on behalf of students.

## SENATE RESOLUTION NO. 639

*Commending Megan Grace.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Megan Grace, a devoted educator at Baldwin Intermediate School, was selected as the 2022 Manassas City Public Schools Teacher of the Year by the *Washington Post*; and

WHEREAS, a graduate of the College at Brockport and Walden University, Megan Grace began her teaching career as a substitute teacher in New York and subsequently joined Manassas City Public Schools, where she has served at Baldwin Intermediate School since it opened in 2017; and

WHEREAS, Megan Grace received the Teacher of the Year award for her commitment to ensuring student success in and out of the classroom and efforts to help students develop academically, socially, and emotionally; and

WHEREAS, Megan Grace is the current head of the science department at Baldwin Intermediate School and teaches science and math; she also has experience with teaching social studies, English as a second language students, gifted and talented students, and special education students; and

WHEREAS, Megan Grace strives to build a safe, supportive classroom environment in which students are free to grow at their own pace and become confident lifelong learners; and

WHEREAS, Megan Grace also founded a student running club and has coached the boys' and girls' basketball teams at Baldwin Intermediate School, and she is an active member of several school and division committees; and

WHEREAS, Megan Grace was nominated for the Teacher of the Year award by her peers at Baldwin Intermediate School, and she has served as a trusted mentor and an inspirational friend to many of her fellow faculty members; and

WHEREAS, Megan Grace has earned the admiration of colleagues, students, and community members for her generosity, dedication, passion for student achievement, knowledge of subject matter, and collaborative leadership style; now, therefore, be it

RESOLVED by the Senate of Virginia, That Megan Grace hereby be commended on being selected as the 2022 *Washington Post* Teacher of the Year for Manassas City Public Schools; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Megan Grace as an expression of the Senate of Virginia's admiration for her achievements in service to young people in Manassas.

## SENATE RESOLUTION NO. 640

*Commending Prince William Public Libraries.*

Agreed to by the Senate, June 1, 2022

WHEREAS, in 2022, Prince William Public Libraries earned two prestigious Hermes Creative Awards for its innovative strategic marketing and communications programs; and

WHEREAS, the Hermes Creative Awards are presented by the Association of Marketing and Communication Professionals to creative professionals around the world for their work in the industry and contributions to their communities; and

WHEREAS, Prince William Public Libraries (PWPL) received a Gold Hermes Creative Award for its strategic marketing campaign, "PWPL Brand Drives the Miles," which used the library system's fleet of delivery vehicles to promote literacy and library membership in the region; and

WHEREAS, Prince William Public Libraries painted its delivery vehicles, which routinely travel between branch locations to distribute books and other materials, with eye-catching designs that showcase the library system's numerous services and resources; and

WHEREAS, out of 1,500 Gold Award winners, Prince William Public Libraries was one of only two library systems to be recognized and the only library system in the United States; and

WHEREAS, Prince William Public Libraries also earned an Honorable Mention award for a lighthearted and informative video about the library system's upgraded wireless Internet services, "PWPL's Wi-Fi Has Left the Building!"; and

WHEREAS, the lighthearted video shares that the reach of Wi-Fi connections in library buildings was extended to library parking lots in order to provide the community with accessible Wi-Fi connections 24 hours a day, seven days a week; and

WHEREAS, the award-winning marketing and communications campaigns developed by Prince William Public Libraries clearly demonstrate the library system's commitment to accessible technology and engagement with members of the public; now, therefore, be it

RESOLVED by the Senate of Virginia, That Prince William Public Libraries hereby be commended on winning two Hermes Creative Awards in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Deborah Wright, library director of Prince William Public Libraries, as an expression of the library system's achievements and service to the residents of Prince William County and the City of Manassas.



**SENATE RESOLUTION NO. 641**

*Commending Prince William County Public Schools.*

Agreed to by the Senate, June 1, 2022

WHEREAS, in 2022, Prince William County Public Schools received a Leadership in Greener Purchasing Award from Office Depot for its commitment to eco-conscious supply purchases; and

WHEREAS, the Leadership in Greener Purchasing Award recognizes entities like Prince William County Public Schools that strive to make environmentally sound and sustainable purchasing decisions for supplies like technology, paper, printing products, and furniture; and

WHEREAS, Prince William County Public Schools was one of only 20 award winners selected from a pool of 1,000 applicants; recipients were selected for purchases made during 2021 across multiple categories of expenditures; and

WHEREAS, Prince William County Public Schools achieved the award for focusing on the purchase of products with high energy efficiency, the reduction of items with harsh or harmful chemicals, and the use of products made from recyclable materials; and

WHEREAS, Prince William County Public Schools has further emphasized the importance of using eco-friendly products and materials and transitioning toward sustainable facilities through its *PWCS Vision 2025 Strategic Plan*; now, therefore, be it

RESOLVED by the Senate of Virginia, That Prince William County Public Schools hereby be commended on winning a 2022 Leadership in Greener Purchasing Award; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Prince William County Public Schools as an expression of the Senate of Virginia's admiration for the school division's commitment to environmental stewardship.

**SENATE RESOLUTION NO. 642**

*Commending Ronald Evans.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Ronald Evans, a culinary arts teacher at Potomac High School in Dumfries, received the 2022 Virginia ProStart Educator Excellence Award from the Virginia Restaurant, Lodging, and Travel Association Education Foundation for his outstanding contributions to career education; and

WHEREAS, Ronald Evans received the Virginia ProStart Educator Excellence Award for his work to strengthen the food service industry by providing relevant instruction on culinary skills and restaurant management principles to high school students; and

WHEREAS, during the COVID-19 pandemic, Ronald Evans went above and beyond to stay engaged with students by providing biweekly bags of food supplies and demonstrating recipes on Zoom, ensuring students could continue to hone their culinary skills and build confidence when in-person instruction was unavailable; and

WHEREAS, Ronald Evans also hosted a weekly Zoom event, "Talk to Me Chef," which gave students opportunities to meet and learn from chefs from all over the country; and

WHEREAS, as a recipient of the Virginia ProStart Educator Excellence Award, Ronald Evans is eligible for the James H. Maynard Teacher of the Year Award presented by the National Restaurant Association Educational Foundation and Golden Corral; now, therefore, be it

RESOLVED by the Senate of Virginia, That Ronald Evans, the winner of the Virginia ProStart Educator Excellence Award, hereby be commended for his achievement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Ronald Evans as an expression of the Senate of Virginia's admiration for his innovative leadership in culinary education.

**SENATE RESOLUTION NO. 643**

*Commending Pembroke High School.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Pembroke High School, a former public secondary school in Hampton, ably served young people in the area for many years; and

WHEREAS, Pembroke High School traces its roots to 1940, when Hampton Institute leased a building to Elizabeth City County Public Schools for the purpose of creating a new school for Black children; and

WHEREAS, the school became part of Hampton City Schools when Elizabeth City County was dissolved, and after the landmark ruling in *Brown v. Board of Education* in 1954, Black residents urged the city to build a new Black high school; and

WHEREAS, negotiations stalled until Hampton Institute refused to allow the Hampton School Board to renew the lease on the building, and plans were made to build a new school building on LaSalle Avenue to be named George P. Phenix High School; and

WHEREAS, George P. Phenix High School opened in 1962 and continued to serve a predominately Black student body until the Hampton School Board ordered the full integration of all city schools in 1967; and

WHEREAS, George P. Phenix High School was renamed Pembroke High School after the district where it was located; the school served many local young people, including children of service members at the nearby Fort Monroe and Langley Air Force Base; and

WHEREAS, by 1980, Pembroke High School was the smallest high school in Hampton City Schools with both the lowest building capacity and the lowest enrollment; the school was closed and the building currently houses a branch of the YMCA, as well as the Hampton Department of Human Services; and

WHEREAS, the proud alumni of Pembroke High School have worked diligently to preserve and maintain the school's history and legacy of excellence, and in August 2022, the Pembroke High School Class of 1972 will host its 50th reunion; now, therefore, be it

RESOLVED by the Senate of Virginia, That Pembroke High School hereby be commended for its legacy of contributions to young people in Hampton as an outstanding public secondary school; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to representatives of the Pembroke High School Class of 1972 as an expression of the Senate of Virginia's appreciation for the school's important place in the history of Hampton.

### SENATE RESOLUTION NO. 644

*Commending the University of Virginia men's tennis team.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the University of Virginia men's tennis team won the National Collegiate Athletic Association Men's Tennis Team Championship on May 22, 2022; and

WHEREAS, the number seven seeded University of Virginia Cavaliers defeated the University of Kentucky Wildcats to finish the season with a 28-5 record and the fifth national title in program history; and

WHEREAS, the University of Virginia's fifth-year senior Gianni Ross and sophomore Jeffrey von der Schulenburg earned a 6-1 victory in one doubles match, while senior Ryan Goetz and sophomore I-aki Montes clinched the point with a 6-3 victory of their own; and

WHEREAS, the Kentucky Wildcats took an early two-set lead in singles play, but the Virginia Cavaliers responded with four singles wins by Ryan Goetz, Bar Botzer, and I-aki Montes and a tiebreaker victory by Gianni Ross; and

WHEREAS, Gianni Ross was selected as the most outstanding player of the tournament and earned all-tournament honors along with I-aki Montes, Jeffrey von der Schulenburg, Bar Botzer, Ryan Goetz, and Chris Rodesch; and

WHEREAS, the victory is a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of the coaches and staff, and the passionate support of the entire University of Virginia community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the University of Virginia men's tennis team hereby be commended on winning the 2022 National Collegiate Athletic Association Men's Tennis Team Championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the University of Virginia men's tennis team as an expression of the Senate of Virginia's admiration for the team's achievements.

### SENATE RESOLUTION NO. 645

*Commending the University of Virginia women's swimming and diving team.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the University of Virginia women's swimming and diving team secured its third consecutive conference title with a victory in the Atlantic Coast Conference Women's Swimming and Diving Championships in February 2022; and

WHEREAS, the University of Virginia Cavaliers won Atlantic Coast Conference (ACC) titles in 14 events, and the team finished the championship with an overall score of 1418.5, defeating the runners-up from North Carolina State University by more than 70 points; and

WHEREAS, the Virginia Cavaliers won four events in the final day of the five-day event to hold off the North Carolina State University Wolfpack and claim the victory; and

WHEREAS, the University of Virginia's Reilly Tiltmann won the 200-yard backstroke event, narrowly defeating a three-time defending champion with a time of 1:50.49, while Kate Douglass defended her own ACC title in the 100-yard freestyle event with a time of 46.81; and

WHEREAS, Alex Walsh defeated another former three-time champion in the 200-yard backstroke event with a time of 2:03.02, the third fastest time ever recorded in the event; and

WHEREAS, the 400-yard freestyle relay team of Kate Douglass, Alex Walsh, Reilly Tiltmann, and Gretchen Walsh capped off the day with a winning time of 3:08.22, more than two seconds faster than the team from North Carolina State University; and

WHEREAS, the ACC team title was the 13th for the Virginia Cavaliers in the last 15 years and the 18th in program history; and

WHEREAS, the victory is a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the entire University of Virginia community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the University of Virginia women's swimming and diving team hereby be commended on winning the Atlantic Coast Conference Women's Swimming and Diving Championships in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the University of Virginia women's swimming and diving team as an expression of the Senate of Virginia's admiration for the team's achievements.

### SENATE RESOLUTION NO. 646

*Commending the McLean Project for the Arts.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the mission of the McLean Project for the Arts is to exhibit the work of emerging and established artists from the mid-Atlantic region, promote public awareness and understanding of the concepts of contemporary art, and offer instruction and education in the visual arts; and

WHEREAS, the McLean Project for the Arts is celebrating its 60th anniversary in 2022 and its service to the community with engaging visual arts programming; and

WHEREAS, the McLean Project for the Arts was founded by local artists in 1962 as the Emerson Gallery and incorporated in 1985 as the McLean Project for the Arts; it is now entering its seventh decade as a continuously operating nonprofit visual arts center in Northern Virginia; and

WHEREAS, the McLean Project for the Arts provides exhibition space for outstanding contemporary artists with free entry for all, thereby making high-quality artwork accessible to all Fairfax County and Northern Virginia residents and visitors; and

WHEREAS, the McLean Project for the Arts contributes to an artistically and culturally vibrant community by serving a broad and diverse audience through professionally curated contemporary art exhibitions, ranging from the works of one or a few artists around a central theme to juried shows of the works of many artists; and

WHEREAS, the McLean Project for the Arts' exhibitions reflect the diversity of the community and inspire conversations about important issues; and

WHEREAS, the McLean Project for the Arts centers its award-winning outreach program, ArtReach, on its professionally curated exhibitions, extending visual arts education deep into the community and devoting significant resources to underserved groups and individuals who may not otherwise have the opportunity to visit an art gallery or learn from working artists due to disability, income, age, or other limitations; and

WHEREAS, ArtReach's director and the McLean Project for the Arts' curator and artistic director collaborate to design a wholly new curriculum for each exhibition so that ArtReach participants, including students from Title I schools in Fairfax County with more than 80 percent free and reduced lunch enrollment, senior members of the community, and individuals with intellectual and physical disabilities, can engage in activities that extend art principles to math, science, literature, and other disciplines; and

WHEREAS, the McLean Project for the Arts is committed to inclusion, welcoming neurodiverse participants and interns from local high schools, and provides ArtReach participants with a safe, supportive environment, ensuring that their needs are not overlooked; and

WHEREAS, the McLean Project for the Arts fosters a sense of community with its beloved outdoor arts festival; the 15th annual MPAartfest on October 3, 2021, broke all previous records, with nearly 12,000 attendees and works from more than 40 artists on display, including a tent devoted to the work of neurodiverse artists; and

WHEREAS, the board members and staff of the McLean Project for the Arts actively collaborate to maintain an organizational culture that reflects the values of inclusion, equity, and the diversity of the region and the nation; now, therefore, be it

RESOLVED by the Senate of Virginia, That the McLean Project for the Arts hereby be commended on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Lori Carbonneau, executive director of the McLean Project for the Arts, as an expression of the Senate of Virginia's admiration for the organization's history, mission, and contributions to the Commonwealth.

**SENATE RESOLUTION NO. 647**

*Commending the Menchville High School girls' basketball team.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the Menchville High School girls' basketball team secured the first state title in program history with a victory in the Virginia High School League Class 5 state championship in 2022; and

WHEREAS, the Menchville High School Monarchs defeated the previously unbeaten Woodgrove High School Wolverines by a lopsided score of 59-36 to become only the second girls' basketball team from Newport News Public Schools to win a state championship; and

WHEREAS, the Menchville Monarchs balanced one-on-one defensive pressure with an aggressive offense to dominate the flow of the state championship game; junior Amari Smith led the team with 17 points and eight rebounds, followed by Atiana Williams and Jayleen Hallums with 13 points each; and

WHEREAS, Amari Smith was also named the Class 5 Player of the Year, averaging 21.5 points, 8.5 rebounds, four assists, three steals, and two blocks per game throughout the season; and

WHEREAS, the Menchville Monarchs' head coach, Adrian Webb, was named the Class 5 Coach of Year after leading the team to an impressive 24-3 overall record; and

WHEREAS, the historic win is a tribute to the skill and perseverance of all the student-athletes, the leadership and dedication of coaches and staff, and the unwavering support of the entire Menchville High School community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Menchville High School girls' basketball team hereby be commended on winning the Virginia High School League Class 5 state championship in 2022; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Adrian Webb, head coach of the Menchville High School girls' basketball team, as an expression of the Senate of Virginia's admiration for the team's achievements.

**SENATE RESOLUTION NO. 648**

*Commending Howard P. Kern.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Howard P. Kern, president and chief executive officer of Sentara Healthcare, has served his community and the Commonwealth for more than four decades; and

WHEREAS, after earning his bachelor's degree from Binghamton University and a master of health administration degree from Virginia Commonwealth University, Howard Kern began his career at Sentara as an administrative resident in 1980 and rose to president and chief executive officer in 2016; and

WHEREAS, Howard Kern led Sentara through its transition from a traditional hospital system into the largest health system in Virginia and a fully integrated delivery network with more than 30,000 employees, 12 acute care hospitals, and medical groups located in four regions in Virginia and North Carolina that serve more than 900,000 members through Sentara Health Plans; and

WHEREAS, by combining the expertise of Sentara's employees with the reach of local community partners, Howard Kern helped guide Hampton Roads and other Virginia communities through the COVID-19 pandemic, ensuring the availability of testing and vaccinations sites, the safety of health care workers, and sufficient supplies for all who needed them; and

WHEREAS, Howard Kern recognized the future needs of health care in Hampton Roads and directed the construction of the Sentara Brock Cancer Center, began the process to align Eastern Virginia Medical School (EVMS) with Old Dominion University and Norfolk State University to create the first school of public health in the region, and led the initiative to launch the EVMS-Sentara Healthcare Analytics and Delivery Science Institute; and

WHEREAS, under Howard Kern's leadership, Sentara Healthcare received numerous awards, including a Most Generous Virginia Corporation award from *Virginia Business* magazine, one of the *Fortune*/IBM Watson Health Top 5 Large Health Systems, a *Forbes* magazine Best Employer for Women, and more than 20 years of recognition as a Best Hospital by *U.S. News and World Report*; and

WHEREAS, Howard Kern has also donated his time to numerous community organizations, including the Hampton Roads Economic Development Alliance, the Virginia Business Higher Education Council, the Norfolk State University Board of Visitors, and the Virginia Wesleyan University Board of Visitors; now, therefore, be it

RESOLVED by the Senate of Virginia, That Howard P. Kern hereby be commended for his contributions as a health care leader and a pillar of the community and his service to the residents of Hampton Roads and the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Howard P. Kern as an expression of the Senate of Virginia's admiration for his personal and professional achievements.

**SENATE RESOLUTION NO. 649**

*Commending Vera Anna Lichtenberg.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Vera Anna Lichtenberg, an admired and highly respected founder of the Mason Game & Technology Academy at George Mason University, retired in 2022 after an illustrious and fulfilling 10-year career at the university, during which time she touched the lives of thousands of young people; and

WHEREAS, Vera Anna Lichtenberg was born in the formerly Communist country of Czechoslovakia, now Czech Republic (Czechia), and became a proud citizen of the United States and resident of the Commonwealth in 1968; and

WHEREAS, Vera Anna Lichtenberg earned bachelor's degrees in English and political science from the George Washington University in Washington, D.C.; and

WHEREAS, Vera Anna Lichtenberg recognized that there was a science, technology, engineering, and mathematics (STEM) skills and knowledge gap in Virginia's public school curricula and founded the Mason Game & Technology Academy (MGTA) at George Mason University (GMU) in 2012 to fill that gap; and

WHEREAS, Vera Anna Lichtenberg single-handedly created the curriculum, management structure, and internal partnerships for the MGTA; she also recruited faculty members and teaching assistants, secured the labs, and marketed the MGTA to Virginia's public schools and teachers; and

WHEREAS, Vera Anna Lichtenberg further identified that students in grades six through 12 were resisting STEM classes in general, so she focused on offering courses using STEM-related programs, such as Python, C++, 3D modeling and animation, 3D game development, and artificial intelligence to design and build games to better entice students to enter STEM careers; and

WHEREAS, Vera Anna Lichtenberg further realized students much more easily learned STEM and STEM-related skills and knowledge through hands-on projects such as designing and building games; and

WHEREAS, Vera Anna Lichtenberg sought and received financial scholarships from the Jack Kent Cook Foundation, the Micron Foundation, Tencent Games, Envision Experience, and the Prince William County Public Schools Education Foundation to offer underserved students free enrollment in the MGTA; and

WHEREAS, as administrator and founding director, Vera Anna Lichtenberg expanded the MGTA at GMU to offer more than 100 STEM courses enrolling over 1,000 students per year; and

WHEREAS, under Vera Anna Lichtenberg's leadership, the MGTA became the largest STEM program in the Commonwealth, coaching thousands of students in STEM in the last decade; and

WHEREAS, Vera Anna Lichtenberg received numerous awards and accolades for her work, including a Virginia School Board commendation and the Prince William County School District Business Partnership of the Year Award in 2015 and 2018 for her support for students and Virginia schools; she was also a finalist in the 16th Annual Women in Technology Leadership Awards in the Small Business/Entrepreneur category; and

WHEREAS, Vera Anna Lichtenberg's passionate, selfless leadership of the MGTA helped to improve and supplement the educational options of children in Northern Virginia, especially the region's disadvantaged and underserved kids; and

WHEREAS, throughout their marriage, Vera Anna Lichtenberg has dedicated her unwavering and endearing love to her husband, Scott; now, therefore, be it

RESOLVED by the Senate of Virginia, That Vera Anna Lichtenberg hereby be commended on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Vera Anna Lichtenberg as an expression of the Senate of Virginia's admiration for her contributions to the Commonwealth and commitment to inspiring young people through STEM education.

**SENATE RESOLUTION NO. 650**

*Commending Portsmouth Pride Fest.*

Agreed to by the Senate, June 1, 2022

WHEREAS, the Portsmouth community will celebrate the month of June as Pride Month with the inaugural Portsmouth Pride Fest on June 4, 2022; and

WHEREAS, in keeping with the state motto, Virginia is for Lovers, Portsmouth, Hampton Roads, and the Commonwealth as a whole are welcoming and hospitable to people of all backgrounds; and

WHEREAS, due to the effects of the COVID-19 pandemic and violence in the lesbian, gay, bisexual, and transgender (LGBT) community, many LGBT individuals have experienced mental health challenges over the past several years, and Portsmouth Pride Fest offers an opportunity to reaffirm the importance of equality and justice for all residents of Portsmouth and the Commonwealth; and

WHEREAS, Portsmouth Pride Fest will feature inspirational speakers and performers and has been generously sponsored by numerous local partners; Portsmouth Pride Fest has also been awarded a grant from the Virginia Tourism Corporation; and

WHEREAS, Portsmouth Pride Fest will benefit Community of Change, a nonprofit mental health organization supporting local children and adults; Help and Emergency Response, Inc. (H.E.R.) emergency shelter, which offers assistance to victims of domestic violence and people experiencing homelessness; and the LGBT Life Center; now, therefore, be it

RESOLVED by the Senate of Virginia, That Portsmouth Pride Fest hereby be commended for its work to celebrate and support the members of the LGBT community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Portsmouth Pride Fest as an expression of the Senate of Virginia's admiration for the festival's vital mission and contributions to community life in Portsmouth.

### SENATE RESOLUTION NO. 651

*Celebrating the life of Buford Blackburn Belcher.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Buford Blackburn Belcher of Pearisburg, a respected public safety officer, passed away on May 16, 2021; and

WHEREAS, Buford "Boots" Belcher served the nation as a member of the United States Army and later as a law-enforcement officer with the United States Forest Service; and

WHEREAS, Boots Belcher became a member of the Giles County Life Saving and Volunteer Rescue Squad in 1981 and rose through the ranks as a purchasing agent, sergeant, and lieutenant of training and personnel to ultimately become captain; and

WHEREAS, in 1991, Boots Belcher became a founding member of the Newport Volunteer Rescue Squad and served as captain of the organization from November of that year until December 2000; and

WHEREAS, Boots Belcher also served the Newport Volunteer Rescue Squad as its representative to the Virginia Association of Volunteer Rescue Squads (VAVRS) Board of Governors from 1991 to 2001; and

WHEREAS, Boots Belcher served with the VAVRS in many capacities at the district and state levels, including as the District 7 rescue and deputy rescue officer, district training officer, and alternate vice president, and as District 7 vice president from 1999 to 2001 and again from 2006 to 2007; and

WHEREAS, Boots Belcher was certified in many of the numerous VAVRS courses, including emergency vehicle operator's course, vehicle extrication, search and rescue instructor, cave rescue, and rescue squad management, and he was also certified as a cardiac technician; and

WHEREAS, Boots Belcher was trained in incident management command by the United States Forest Service; he was also trained in hazardous materials awareness and served as the first hazardous materials coordinator in Giles County; and

WHEREAS, Boots Belcher was selected by his peers to receive life membership in the Giles County Life Saving and Volunteer Rescue Squad and in the Newport Volunteer Rescue Squad; in September 2007, he was elected by his colleagues in the VAVRS as a life member of the association in recognition of his accomplishments over the years; and

WHEREAS, Boots Belcher is survived by his daughter, Liz, and son-in-law, Steve; grandson, Ryan; sister, Annell; numerous nieces and nephews; numerous friends in Pearisburg and Giles County; and all of his many friends in the emergency medical services family throughout the Commonwealth; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby notes with great sadness the loss of Buford Blackburn Belcher, a respected leader in the Giles County and Pearisburg communities and in the emergency medical services community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Buford Blackburn Belcher as an expression of the Senate of Virginia's respect for his memory and his contributions to Giles County and the Commonwealth.

### SENATE RESOLUTION NO. 652

*Commending Dorothy Robinson.*

Agreed to by the Senate, June 1, 2022

WHEREAS, Dorothy Robinson, an esteemed public servant and beloved member of the Chase City community, celebrated her 100th birthday on April 21, 2022; and

WHEREAS, after graduating from the former Chase City High School, Dorothy Robinson earned a bachelor's degree from Goucher College and spent several years working in Baltimore; and

WHEREAS, Dorothy Robinson returned to Chase City in 1952 and took a job as a buyer with the Chase City Department Store, working in the business until her retirement in 1980; and

WHEREAS, Dorothy Robinson proudly served two terms on the Chase City Town Council, working tirelessly to ensure an exceptional quality of life for her constituents and the community; and

WHEREAS, during her tenure on the Chase City Town Council, Dorothy Robinson fostered growth by helping both to reinvigorate the downtown area and to attract new industries to Chase City; and

WHEREAS, Dorothy Robinson also provided valuable leadership on the Chase City Town Council's committees overseeing the library, airport, cemetery, water and sewer services, and local commerce; and

WHEREAS, an active and engaged member of her community, Dorothy Robinson served several years on the Board of Directors of the Mecklenburg County Chapter of the American Red Cross and on the Southside Regional Library Board and has also been involved with the Fortnightly Club of Chase City; and

WHEREAS, in recognition of her generosity and dedication, Dorothy Robinson received the Elizabeth Statuta Baker '70 Public Service Award from the Alumnae and Alumni of Goucher College at the 80th reunion of the Goucher College Class of 1942 in 2022; and

WHEREAS, beyond spending quality time with her family, Dorothy Robinson has greatly enjoyed playing bridge, reading, and tap dancing throughout her life; and

WHEREAS, Dorothy Robinson's integrity and steadfast devotion to the Chase City community have been an inspiration to all who know her; now, therefore, be it

RESOLVED by the Senate of Virginia, That Dorothy Robinson, a cherished centenarian of the Chase City community, hereby be commended on the occasion of her 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Dorothy Robinson as an expression of the Senate of Virginia's admiration for her life of service and her many contributions to the Commonwealth.

### SENATE RESOLUTION NO. 653

*Nominating persons to be elected to general district court judgeships.*

Agreed to by the Senate, June 1, 2022

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected to the respective general district court judgeships as follows:

Peter D. Eliades, Esquire, of Hopewell, as a judge of the Sixth Judicial District for a term of six years commencing July 1, 2022.

Michael J. Holleran, Esquire, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing August 1, 2022.

### SENATE RESOLUTION NO. 654

*Commending the Virginia Association of Addiction Professionals.*

Agreed to by the Senate, June 17, 2022

WHEREAS, for more than five decades, the Virginia Association of Addiction Professionals has served, supported, and advanced Virginia's addiction professionals and Virginia's recovery communities by providing, enhancing, and ensuring education, ethical standards, and a strong peer and professional network; and

WHEREAS, the Virginia Association of Addiction Professionals (VAAP) was initially established in 1970 as the Tidewater Association of Professionals Interested in Substance Abuse (TAPISA); and

WHEREAS, in 1972, TAPISA joined other likeminded organizations to establish the National Association of Alcoholism Counselors and Trainers with the primary objective of developing a field of professional counselors with professional qualifications and backgrounds; and

WHEREAS, TAPISA subsequently became known as the Virginia Association of Alcoholism and Drug Abuse Counselors in the 1970s and as the Virginia Association of Addiction Professionals in 2013; and

WHEREAS, VAAP has helped ensure the highest quality help for all Virginians by continuously providing training and education opportunities for the Commonwealth's addiction professionals, including by establishing the annual Virginia Summer Institute of Addiction Studies, one of the most highly regarded training events in the United States; and

WHEREAS, VAAP has advocated tirelessly and at every level on behalf of Virginia's addiction professionals, including by establishing the Virginia Recovery Coalition in conjunction with similar organizations; and

WHEREAS, VAAP has cultivated an engaging network of certified substance abuse counselors, addiction counselors, peer support specialists, and therapists, including those in the military community, to ensure that its members have opportunities for professional development and a broad understanding of best practices in the fields of addiction and recovery; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Virginia Association of Addiction Professionals hereby be commended on the occasion of its 52nd anniversary of support for the Commonwealth's addiction professionals, who have saved countless lives throughout the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Virginia Association of Addiction Professionals as an expression of the Senate of Virginia's respect and appreciation for its efforts to enhance substance abuse prevention, treatment, and recovery programs in the Commonwealth and provide essential services to Virginians in need.

### SENATE RESOLUTION NO. 655

*Celebrating the life of Maureen McNamara Flanagan.*

Agreed to by the Senate, June 17, 2022

WHEREAS, Maureen McNamara Flanagan, an esteemed communications professional and beloved member of the Virginia Beach community for more than 40 years, died on March 9, 2022; and

WHEREAS, after graduating from Sacred Heart Academy in Hempstead, New York, Maureen Flanagan earned a bachelor's degree from College of Mount Saint Vincent in 1968; she would later also complete graduate studies in communications at Regent University, receiving a master's degree in 1985 and a doctoral degree in 1995; and

WHEREAS, upon graduating from College of Mount Saint Vincent, Maureen Flanagan settled in the Commonwealth, where she would remain for the rest of her life while pursuing various interests and careers; and

WHEREAS, early in her career, Maureen Flanagan was a docent at the Folger Shakespeare Library in Washington, D.C., a teacher at Notre Dame Academy in Washington, D.C., and executive director of Hope in Northern Virginia, Inc., a pregnancy assistance service in Falls Church; and

WHEREAS, Maureen Flanagan's gift as a communicator led her to serve as a television producer for the Rock Christian Network, as an adjunct instructor and later a faculty member at Old Dominion University, and as a reporter and writer for *The Catholic Virginian* newspaper; and

WHEREAS, Maureen Flanagan also served as marketing director and co-founder of Christopher Technology Consulting in Virginia Beach, was a developer and presenter for Unlock the Box Seminars in Virginia Beach, and co-authored *The Fourth Side of the Triangle: The Human Side of Technology Project Management* with her husband, Paul; and

WHEREAS, an active and engaged member of her community, Maureen Flanagan was a den leader with the Boy Scouts of America's Cub Scouting program and collaborated with her husband as a team presenter and coordinator for Worldwide Marriage Encounter; and

WHEREAS, with boundless love and generosity, Maureen Flanagan opened her home and her heart to many over the years, including women dealing with difficult pregnancies, refugees from war, people recovering from illness, students needing housing, new employees needing a temporary room, and more; and

WHEREAS, guided throughout her life by her faith and an unwavering desire to help others, Maureen Flanagan was a devoted member of Catholic Church of the Ascension in Virginia Beach, coordinating the church's Hospitality Ministry and chairing the Communications Commission for the Catholic Diocese of Richmond; and

WHEREAS, Maureen Flanagan will be fondly remembered and dearly missed by her loving husband of 53 years, Paul; her son, Mark, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Maureen McNamara Flanagan, a cherished member of the Virginia Beach community whose charitable and caring nature made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Maureen McNamara Flanagan as an expression of the Senate of Virginia's respect for her memory.

### SENATE RESOLUTION NO. 656

*Celebrating the life of Kathleen Meaghan Nelson.*

Agreed to by the Senate, June 17, 2022

WHEREAS, Kathleen Meaghan Nelson, a health care practitioner and a beloved wife, mother, daughter, sister, and friend in Virginia Beach, died on March 23, 2022; and

WHEREAS, Kathleen "Kate" Nelson grew up in Somerville, New Jersey, where she attended Immaculata High School; she continued her education in the Commonwealth, receiving a bachelor's degree from George Mason University and a master's degree from Old Dominion University; and

WHEREAS, Kate Nelson settled in Virginia Beach and worked at Mt. Pleasant Urgent Care in Chesapeake for more than 10 years, earning the admiration of her colleagues for her commitment to excellence and genuine concern for her patients; and

WHEREAS, Kate Nelson enjoyed fellowship and worship with the community as a member of St. John the Apostle Catholic Church and also participated in Bible studies; and



WHEREAS, Kate Nelson was an avid traveler but loved life at the beach most of all, relishing every opportunity to seek adventure in the great outdoors through running, swimming, paddleboarding, biking, and other activities; and

WHEREAS, Kate Nelson will be fondly remembered by her husband, Eric; her children, Dylan and Rylie; her parents, Frank and Esther; her sisters, Kim and Michelle, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Kathleen Meaghan Nelson; and, be it RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Kathleen Meaghan Nelson as an expression of the Senate of Virginia's respect for her memory.

### SENATE RESOLUTION NO. 657

*Commending Eunice Mae Johnson.*

Agreed to by the Senate, June 17, 2022

WHEREAS, Eunice Mae Johnson, a vibrant member of the Portsmouth community, celebrates her 100th birthday in 2022; and

WHEREAS, born on August 10, 1922, Eunice Johnson has been a witness to history, from the Great Depression and World War II to the Moon landing and the dawn of the Internet era; and

WHEREAS, Eunice Johnson grew up in Seaboard, North Carolina, and relocated to the Commonwealth after graduating from high school; and

WHEREAS, Eunice Johnson pursued a career as a nurse's aide and worked at Portsmouth General Hospital and what is now Bon Secours Maryview Medical Center; and

WHEREAS, Eunice Johnson enjoys fellowship and worship with the congregation of New First Baptist Church (Taylorsville), of which she has been a devout and active member for three decades; and

WHEREAS, Eunice Johnson married her husband, Floyd, on Christmas Day in 1942, and the couple enjoyed 68 years of marriage until his passing; and

WHEREAS, Eunice Johnson is the loving matriarch of a large family, and she has imparted her wisdom, kindness, and commitment to community service to her children, grandchildren, great-grandchildren, and great-great-grandchildren; now, therefore, be it

RESOLVED by the Senate of Virginia, That Eunice Mae Johnson of Portsmouth hereby be commended on the occasion of her 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Eunice Mae Johnson as an expression of the Senate of Virginia's admiration for her personal and professional achievements and contributions to the Portsmouth community.

### SENATE RESOLUTION NO. 658

*Commending Marion Ferebee Smith.*

Agreed to by the Senate, June 17, 2022

WHEREAS, Marion Ferebee Smith, a vibrant member of the Portsmouth community, celebrates her 100th birthday in 2022; and

WHEREAS, born on July 20, 1922, Marion Smith has been a witness to history, from the Great Depression and World War II to the Moon landing and the dawn of the Internet era; and

WHEREAS, Marion Smith grew up in the St. Brides area of Chesapeake and graduated from Providence High School in 1939; and

WHEREAS, Marion Smith worked in multiple jobs, including maid, hospital ward aid, store clerk, and factory worker; for more than 20 years, she served as a cafeteria worker and bus driver at Union Kempsville High School in Virginia Beach; and

WHEREAS, Marion Smith subsequently worked as a Head Start teacher and helped local communities address poverty through the Southeastern Tidewater Opportunity Project; and

WHEREAS, Marion Smith relished every opportunity to further her own education throughout her life, and she ultimately earned a bachelor's degree in elementary education from Norfolk State University in 1973; and

WHEREAS, Marion Smith began teaching in Chesapeake Public Schools in 1973 and subsequently earned a master's degree in education from Old Dominion University; and

WHEREAS, after her well-earned retirement in 1989, Marion Smith enjoyed having more time for her numerous hobbies and also took up bowling, which she played regularly until the age of 97; and

WHEREAS, outside of her career, Marion Smith volunteered her wise insights to Phi Delta Kappa Sorority, Inc., and served as a past matron of The Order of the Eastern Star; and

WHEREAS, a woman of deep and abiding faith, Marion Smith was a member of Willow Grove Baptist Church in her youth and is currently an active member of the congregation at Covenant Fellowship Church in Chesapeake; and

WHEREAS, Marion Smith has inspired others through her perseverance, kindness, and grace, and she imparted her passion for lifelong learning to her children; her sons, Roderick and John, both worked as longtime public school teachers and her daughter, Rita, pursued a career in higher education administration; now, therefore, be it

RESOLVED by the Senate of Virginia, That Marion Ferebee Smith of Chesapeake hereby be commended on the occasion of her 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Marion Ferebee Smith as an expression of the Senate of Virginia's admiration for her personal and professional achievements and contributions to the Chesapeake community and the Commonwealth.

### SENATE RESOLUTION NO. 659

*Commending Kindness Ranch Animal Sanctuary.*

Agreed to by the Senate, June 17, 2022

WHEREAS, Kindness Ranch Animal Sanctuary, which specializes in rehabilitating animals who have been used in laboratory research and strives to foster compassion for all animals, accepted 150 beagles from a breeding facility in Cumberland County, Virginia, in 2022; and

WHEREAS, on its 1,000-acre compound in Hartville, Wyoming, Kindness Ranch rehabilitates dogs and cats in a home-like environment and provides outstanding care and support to help animals adjust to life outside of a laboratory environment; the facility has also worked with pigs, rabbits, goats, sheep, horses, cows, and llamas; and

WHEREAS, Kindness Ranch operates an adoption program for rehabilitated animals, and those that are too debilitated, old, or ill to be placed in a loving home can remain on the ranch, cared for by professionals and generous volunteers; and

WHEREAS, in 2022, Homeward Trails Animal Rescue in Fairfax County acquired 150 beagle puppies from a breeding facility and subsequently transferred the animals to Kindness Ranch; and

WHEREAS, these beagles have received comprehensive care at Kindness Ranch and the organization has found numerous adoptive and loving homes for these wonderful beagles; and

WHEREAS, Kindness Ranch continues to fulfill its mission through the hard work of its staff members and volunteers and generous support from donors and community partners; now, therefore, be it

RESOLVED by the Senate of Virginia, That Kindness Ranch Animal Sanctuary hereby be commended for its work to provide care to 150 beagle puppies from a breeding facility in Cumberland County; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to John Ramer, director of Kindness Ranch Animal Sanctuary, as an expression of the Senate of Virginia's admiration for the organization's commitment to animal welfare.

### SENATE RESOLUTION NO. 660

*Celebrating the life of Jack Allyn Swicegood.*

Agreed to by the Senate, June 17, 2022

WHEREAS, Jack Allyn Swicegood of Rocky Mount, a highly admired public safety officer, passed away on March 6, 2022; and

WHEREAS, Jack Swicegood was a Tennessean by birth and graduated from Greenback High School; he later met and married Ruth Phillips of Russell County and moved to Franklin County in 1960; and

WHEREAS, Jack Swicegood served his country in the United States Navy and the Army National Guard; and

WHEREAS, Jack Swicegood was employed by the Lane Furniture Company for 35 years and after retiring, he and Ruth opened the Rainbow Child Care Center in 1985, which he operated with Ruth for more than 25 years before retiring again; and

WHEREAS, Jack Swicegood joined the Franklin County Rescue Squad in 1967; he volunteered with the department for over 42 years, answering calls for 40 of them, day and night, and, as with many volunteers, missed many birthdays, anniversaries, and holidays to serve and safeguard members of the community; and

WHEREAS, Jack Swicegood also taught several training courses throughout the Commonwealth, including courses in first aid (the Green Book), CPR, EMT certification, emergency vehicle operations (emergency vehicle operator course), vehicle extrication, and farm machinery extrication, passing onto his students the skills needed to save lives and do so in a safe manner; and

WHEREAS, Jack Swicegood also helped form five separate rescue squads throughout Franklin County: Ferrum, Glade Hill, Snow Creek, Fork Mountain, and Cool Branch; he convinced the members of his own squad to sell Snow Creek a fully equipped ambulance for the price of one dollar; and

WHEREAS, Jack Swicegood formed the Franklin County Junior Volunteer Rescue Squad, and after a number of years as the county junior squad advisor, he became a state officer as junior squad advisor to the Virginia Association of Volunteer Rescue Squads (VAVRS) for 18 years; and

WHEREAS, Jack Swicegood also donated time by holding a number of leadership roles in the Franklin County Rescue Squad; his longest tenure was 15 years as the squad's chaplain; and

WHEREAS, Jack Swicegood also served as the VAVRS District 6 vice president for two years, was the junior squad advisor and served on the EMS Council for four years, and was elected as a life member of District 6 in 2014; he was also a member of the Franklin County Rescue Squad Auxiliary, serving for 14 years and receiving a life membership; and

WHEREAS, Jack Swicegood was elected by his peers in the VAVRS as a life member of the association in September 1989 in recognition of his work at the state level, and in September 2010, he was elected by his colleagues to the VAVRS Rescue Hall of Fame; and

WHEREAS, Jack Swicegood lived by the mantra of Commitment, Dedication, and Benevolence, which were the core tenets of his personality for the 91 years of his life; and

WHEREAS, Jack Swicegood was a member of the Rocky Mount First Church of the Brethren for over 40 years and served as the Sunday school superintendent for 20 years; and

WHEREAS, preceded in death by his daughter Diane, Jack Swicegood will be fondly remembered and greatly missed by his loving wife, Ruth; his children, Gary and Mollie, and their families; and many other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby notes with great sadness the loss of Jack Allyn Swicegood, a respected leader in the Rocky Mount and Franklin County communities and in the emergency medical services community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Jack Allyn Swicegood as an expression of the Senate of Virginia's respect for his memory and his contributions to Franklin County and the Commonwealth.

### SENATE RESOLUTION NO. 661

*Commending the Abingdon High School boys' track and field team.*

Agreed to by the Senate, June 17, 2022

WHEREAS, the Abingdon High School boys' track and field team won the Virginia High School League Class 3 state championship in 2022; and

WHEREAS, the Abingdon High School Falcons ran away with the state title, scoring in field events, sprints, distances, and relays to win the tournament by 33 points; and

WHEREAS, Abingdon High School senior Dylan Phillips also secured an individual state title with a hard-fought victory in the 1,600-meter run and was a member of the winning 4x800-meter relay team, along with Jack Bundy, Teddy Pillion, and Isaac Thiessen; and

WHEREAS, Rives Boltwood, Jack Bundy, Haynes Carter, Bramley Childress, Teddy Pillion, Greg Poisson, Isaac Thiessen, and James Whitted also earned all-state honors for Abingdon High School; and

WHEREAS, prior to the state track and field meet, the Abingdon Falcons also won the cross country and indoor track and field state titles, an exceptional feat for a single academic year; and

WHEREAS, the victorious season was a tribute to the skill and determination of the student-athletes, the leadership and guidance of coaches and staff, and the enthusiastic support of the entire Abingdon High School community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Abingdon High School boys' track and field team hereby be commended on winning the Virginia High School League Class 3 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to David Farris, head coach of the Abingdon High School boys' track and field team, as an expression of the Senate of Virginia's admiration for the team's achievements and best wishes for the future.

### SENATE RESOLUTION NO. 662

*Commending Beatrice S. Suskin.*

Agreed to by the Senate, June 17, 2022

WHEREAS, Beatrice S. Suskin, a vibrant member of the Arlington community, celebrated her 101st birthday in 2022; and  
WHEREAS, born on June 5, 1921, Beatrice Suskin was the child of Russian immigrants who worked as artisans in New York City; and

WHEREAS, Beatrice Suskin has been a witness to history throughout her life, experiencing the Great Depression, World War II, the Moon Landing, and the dawn of the Internet age, among countless other significant events; and

WHEREAS, in 1942, Beatrice Suskin and her husband, Harold, relocated to the Washington, D.C., area to help with the war effort; and

WHEREAS, a brilliant accountant, Beatrice Suskin pursued a career with the U.S. Internal Revenue Service and drafted tax regulations; and

WHEREAS, in her personal life, Beatrice Suskin was a skilled bridge player who achieved Ruby Life Master status and played into her 90s; she is also an accomplished world traveler with a penchant for ocean cruises, who has visited Alaska, Antarctica, and many other destinations; and

WHEREAS, Beatrice Suskin has inspired others through her kindness, generosity, and keen intellect and has made countless contributions to the Arlington community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Beatrice S. Suskin hereby be commended on the occasion of her 101st birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Beatrice S. Suskin as an expression of the Senate of Virginia's admiration for her personal and professional achievements and best wishes.

### SENATE RESOLUTION NO. 663

*Commending the Christopher Newport University softball team.*

Agreed to by the Senate, June 17, 2022

WHEREAS, the Christopher Newport University softball team won the National Collegiate Athletic Association Division III National Championship in Salem on May 31, 2022; and

WHEREAS, the Christopher Newport University Captains brought home the program's first national title in style, going undefeated in the Coast-to-Coast Athletic Conference Tournament and the Women's College World Series (WCWS), including a sweep of Trine University in the best of three championship series; and

WHEREAS, five members of the Christopher Newport Captains were named to the All NCAA Championship Team, including freshman pitcher Kate Alger; sophomore outfielder Katie Currin; senior first basewoman Kaitlyn Hasty, who was named as the National Fastpitch Coaches Association Division III National Player of the Year; freshman pitcher Jamie Martin, who was named as the championship's Most Outstanding Pitcher; and senior catcher Bailey Roberts, who was named as the championship's Most Outstanding Player; and

WHEREAS, the Christopher Newport Captains closed out the season with a program record 24 consecutive wins, finishing with an impressive 47-1 overall record; the team was ranked as the number one Division III softball team in the country going into the WCWS; and

WHEREAS, the Christopher Newport Captains were led by a group of seven seniors with a combined total of more than 1,000 appearances over their college careers; and

WHEREAS, head coach Keith Parr has created a dominant softball program at Christopher Newport University since taking the reins in 2003, leading the team to 15 straight NCAA Tournament appearances and picking up his 600th win on the road to the program's first national championship; and

WHEREAS, as of mid-June 2022, the members of the Christopher Newport University softball team have more than 30 individual end-of-season awards combined; and

WHEREAS, with a historic combination of talent, skill, and determination, the Christopher Newport Captains persevered and finished ahead of the 62-team field; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Christopher Newport University softball team hereby be commended for winning the 2022 National Collegiate Athletic Association Division III National Championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Keith Parr, head coach of the Christopher Newport University softball team, as an expression of the Senate of Virginia's admiration for the team's historic victory.

### SENATE RESOLUTION NO. 664

*Celebrating the life of Lillie Florence Speller Howard.*

Agreed to by the Senate, June 17, 2022

WHEREAS, Lillie Florence Speller Howard, a beloved wife, mother, and grandmother and a vibrant member of the Portsmouth community, died on October 16, 2021; and

WHEREAS, affectionately known to family and friends as "Sugar Baby," Lillie Howard grew up in Windsor, North Carolina, and attended W.S. Etheridge High School; and

WHEREAS, in 1951, Lillie Howard relocated to Portsmouth, where she lived with her sister and was employed at a local jewelry store; she subsequently attended what is now Norfolk State University, then worked at a pickle factory in Norfolk; and

WHEREAS, Lillie Howard joined the Department of the Navy in 1970 as a civilian employee in the linen room at what is now Naval Medical Center Portsmouth; she was promoted to medical records clerk, then became the lead medical records technician responsible for more than 80,000 patient records; and

WHEREAS, Lillie Howard received several Civilian of the Quarter Awards from the Department of the Navy, and in 1991, she received the Navy Meritorious Civilian Service Award for her commitment to excellence; and

WHEREAS, Lillie Howard retired from the Department of the Navy in 1995 after 25 years of outstanding service to the nation; and

WHEREAS, Lillie Howard supported the Portsmouth community as a member of the Cavalier Manor Civic League and her children's parent-teacher association and as a volunteer for neighborhood celebrations and the United Way; and

WHEREAS, Lillie Howard enjoyed fellowship and worship with the community as a longtime member of Third Baptist Church, where she volunteered as a missionary and offered her leadership to several church committees and ministries; and

WHEREAS, predeceased by one son, Baby Howard, Lillie Howard will be fondly remembered and greatly missed by her husband of 68 years, Paul; her children, Paulette, Sylvia, Sylvester, Paul III, and Lisa, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Lillie Florence Speller Howard; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Lillie Florence Speller Howard as an expression of the Senate of Virginia's respect for her memory.

### SENATE RESOLUTION NO. 665

*Commending the Virginia Peanut Festival.*

Agreed to by the Senate, June 17, 2022

WHEREAS, the Virginia Peanut Festival, an annual event in Emporia that celebrates the important role the Virginia peanut variety and Virginia peanut farmers have played in the history and culture of the Commonwealth, commemorated its 60th anniversary in 2022; and

WHEREAS, the origins of the Virginia Peanut Festival date to 1949, when what is today the Emporia-Greenville Chamber of Commerce sponsored the first Southside Virginia Peanut Festival; and

WHEREAS, after a break of several years, the Virginia Peanut Festival returned, appearing in various iterations over the years as the Southside Virginia Peanut Festival, the Emporia Peanut Festival, the Emporia-Greenville Peanut Festival, and the Virginia Peanut Festival, and was officially franchised by the Emporia-Greenville Chamber of Commerce in 1981; and

WHEREAS, initially run exclusively by volunteers, the Virginia Peanut Festival was later managed by an event company from 1994 to 2001 until the costs associated with the event became prohibitive; and

WHEREAS, unwilling to witness the end of a cherished community event, local leaders Robert C. Wrenn and Bobby L. Flippen organized a group of volunteers to carry on the tradition of the Virginia Peanut Festival; and

WHEREAS, since 2001, the Virginia Peanut Festival has been made possible through the tireless efforts of its dedicated volunteers and the generous sponsorship of the City of Emporia, the County of Greenville, and many local businesses and citizens; and

WHEREAS, distinguished actors, athletes, pageant queens, community activists, and other public figures have served as grand marshal of the Virginia Peanut Festival over the years, including actress Elizabeth Taylor, astronaut John Michael Lounge, and NASCAR Hall of Fame driver Cale Yarborough; and

WHEREAS, in its early years, the Virginia Peanut Festival featured a beauty pageant that determined the queen of the festival; over time, the event has evolved to include a car and truck show, a parade, a food competition, a fireworks display, live music, arts and craft presentations, educational exhibits, a carnival, and more; and

WHEREAS, with great purpose and vision, the Virginia Peanut Festival brings people together year after year to celebrate the Virginia peanut variety and peanut farmers of the Commonwealth; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Virginia Peanut Festival in Emporia hereby be commended on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to representatives of the Virginia Peanut Festival as an expression of the Senate of Virginia's admiration for the event's history and its contributions to the Commonwealth.

### SENATE RESOLUTION NO. 666

*Nominating persons to be elected to the Supreme Court of Virginia.*

Agreed to by the Senate, June 17, 2022

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected to the Supreme Court of Virginia as follows:

The Honorable Thomas P. Mann, of Fairfax, as a justice of the Supreme Court of Virginia for a term of twelve years commencing August 1, 2022.

The Honorable Wesley G. Russell, Jr., of Henrico, as a justice of the Supreme Court of Virginia for a term of twelve years commencing July 1, 2022.

**SENATE RESOLUTION NO. 667**

*Nominating a person to be elected to the Court of Appeals of Virginia.*

Agreed to by the Senate, June 17, 2022

RESOLVED by the Senate of Virginia, That the following person is hereby nominated to be elected to the Court of Appeals of Virginia as follows:

The Honorable Kimberley S. White, of Halifax, as a judge of the Court of Appeals of Virginia for a term of eight years commencing July 1, 2022.

**SENATE RESOLUTION NO. 668**

*Nominating a person to be elected to a circuit court judgeship.*

Agreed to by the Senate, June 17, 2022

RESOLVED by the Senate of Virginia, That the following person is hereby nominated to be elected to the respective circuit court judgeship as follows:

The Honorable Manuel A. Capsalis, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing August 1, 2022.

**SENATE RESOLUTION NO. 669**

*Nominating a person to be elected to a general district court judgeship.*

Agreed to by the Senate, June 17, 2022

RESOLVED by the Senate of Virginia, That the following person is hereby nominated to be elected to the respective general district court judgeship as follows:

Dipti Pidikiti-Smith, Esquire, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing August 1, 2022.

**SENATE RESOLUTION NO. 670**

*Celebrating the life of the Reverend Dr. Browlee Hailstock, Jr.*

Agreed to by the Senate, June 17, 2022

WHEREAS, the Reverend Dr. Browlee Hailstock, Jr., a respected spiritual leader who touched countless lives in the Hampton community, died on April 26, 2022; and

WHEREAS, Browlee Hailstock grew up in the Danville area and attended local public schools; he attended Virginia State College, now Virginia State University, then earned a bachelor's degree from Virginia Union University; and

WHEREAS, Browlee Hailstock received a master's degree from what is now the Samuel DeWitt Proctor School of Theology of Virginia Union University and subsequently received an honorary doctorate of divinity; and

WHEREAS, Browlee Hailstock followed in his father's footsteps by answering the call to the ministry and preached his first sermon at Fifth Baptist Church in Richmond in July 1971; the following month, he became pastor of Providence Baptist Church in Ashland and served its congregation for the next 10 years; and

WHEREAS, on July 4, 1981, Browlee Hailstock was selected as the seventh pastor of the historic Zion Baptist Church in Hampton; and

WHEREAS, during his 30-year tenure as pastor of Zion Baptist Church, Browlee Hailstock organized the Ministry of Christian Education, which includes programs for children, young adults, adults, and seniors, as well as leadership development opportunities; and

WHEREAS, under Browlee Hailstock's leadership, Zion Baptist Church established the Male Chorus and Crusade Choir, began providing hot meals for community members in need, initiated counseling services and a tutorial program to extend the church's community outreach, and created an after-school program for elementary school students; and

WHEREAS, Browlee Hailstock also helped Zion Baptist Church achieve membership in American Baptist Churches USA, American Baptist Churches of the South, the Progressive National Baptist Convention, and the Lott Carey Foreign Mission Convention; and

WHEREAS, as pastor of Zion Baptist Church, Browlee Hailstock also oversaw the construction of a new sanctuary and office complex and helped preserve the community's history and heritage through the preservation of the old sanctuary; and

WHEREAS, Browlee Hailstock also served as president of the Division of Clergy of the Baptist General Convention of Virginia (BGC), a member of the General Board and Executive Board of the BGC, vice president of the BGC, and a trustee of the Richmond Virginia Seminary; and

WHEREAS, Browlee Hailstock also supported and advocated for young people as a member of the Hampton City School Board and a member of the Board of Trustees of Virginia Union University; and

WHEREAS, Browlee Hailstock was a lifetime member of the NAACP and offered his wise insights to many other organizations and initiatives, greatly enhancing the quality of life of all his fellow Hampton residents through his generosity and visionary leadership; and

WHEREAS, Browlee Hailstock will be fondly remembered and greatly missed by his beloved wife, Florence; his children, Wanda Bey, Zebbra Hickson, Debra Seay, Wanda Hailstock-Hickson, Lanetta Hailstock-Williams, and Darrell Wactor, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of the Reverend Dr. Browlee Hailstock, Jr., a highly admired servant leader in Hampton; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of the Reverend Dr. Browlee Hailstock, Jr., as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 671

*Celebrating the life of William Freeman Crump.*

Agreed to by the Senate, June 17, 2022

WHEREAS, William Freeman Crump, a highly admired educator and patron of the musical arts in the Tidewater area, died on June 3, 2022; and

WHEREAS, William Crump grew up in Newport News, where he attended local public schools, and he earned a bachelor's degree in public school music with an emphasis on vocal music from Virginia State College; and

WHEREAS, during his time at Virginia State College, William Crump worked in the dining hall to help support his family and played tenor saxophone as a member of the marching, concert, and jazz bands and sang solos with the acapella choir and the school orchestra; and

WHEREAS, William Crump joined the first four-year Reserve Officers' Training Corps program at Virginia State College; after graduation, he was commissioned as a first lieutenant in the United States Army and served the nation during the Korean War; and

WHEREAS, after his active duty military service, William Crump toured for two years with the distinguished De Paur Infantry Chorus as a tenor soloist understudy, then returned to the Commonwealth to begin a 30-year career as a music teacher and choral director at schools in Portsmouth and Hampton; and

WHEREAS, William Crump touched the lives of countless students in elementary school, middle school, and high school by helping them cultivate their talents and develop a fond appreciation for the musical arts; he received numerous awards and accolades for his work and also earned a master's degree from Hampton Institute; and

WHEREAS, outside of his teaching career, William Crump continued to offer his skills as a soloist and his leadership as a director to local theaters; he founded the Orpheon Male Chorus for high school and college students and the Voices of Tidewater mixed chorus for local adults and served on the boards of the Peninsula Civic Opera and EduStar Performing Arts Society; and

WHEREAS, William Crump enjoyed fellowship and worship with the community as a member of Carver Memorial Presbyterian Church in Newport News, where he was a deacon, elder, chair of the men's ministry, and director of the music ministry and senior choir; and

WHEREAS, William Crump will be fondly remembered and greatly missed by his wife of 63 years, Barbara; his children, Karla and Mark, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of William Freeman Crump; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of William Freeman Crump as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 673

*Celebrating the life of Eugene Joseph Meyung.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Eugene Joseph Meyung, a veteran of World War II, respected insurance professional, and active member of the Charlottesville community, died on May 15, 2022; and

WHEREAS, Eugene "Jeep" Meyung grew up in Pennsylvania and attended Germantown High School; he briefly attended Virginia Polytechnic Institute and Emory & Henry College, then reported to the United States Naval Reserve Midshipmen's School at Notre Dame; and

WHEREAS, Jeep Meyung was commissioned as an officer in the United States Navy in 1944, then volunteered for training as a member of the Underwater Demolition Teams (UDT), the precursor to the Navy SEALs; and

WHEREAS, Jeep Meyung served as a platoon officer in Underwater Demolition Team 23 in the Pacific Theater of World War II, and he later became a life member of the UDT-SEAL Association; and

WHEREAS, Jeep Meyung returned to the Commonwealth to complete his bachelor's degree from Emory & Henry College, then earned a law degree from the University of Virginia; and

WHEREAS, Jeep Meyung practiced law with Michael and Musselman in Charlottesville, then established Hamilton and Meyung in Wise County; in 1953, he joined State Farm Insurance and ultimately became the deputy regional vice president; and

WHEREAS, in 1978, Jeep Meyung joined GEICO and helped guide the company through a challenging period; he served as president of GEICO for four years, then founded his own one-man consulting firm; and

WHEREAS, Jeep Meyung offered his leadership and insights to the boards of several companies in the Plymouth Group and served as chief executive officer of the Mt. Washington Assurance Corporation before his retirement at the age of 90; and

WHEREAS, Jeep Meyung was predeceased by his wife of 47 years, Geraldine, who died in 1994 and with whom he had two children, and his second wife, Suzanne, who died in 2007; and

WHEREAS, Jeep Meyung will be fondly remembered and greatly missed by his children, John and Martha; his wife of nearly 14 years, Derry, and her children, Heather and Sean; his second wife's children, William and Cynthia; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Eugene Joseph Meyung; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Eugene Joseph Meyung as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 674

*Commending Eli Sullivan.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Eli Sullivan, a student at Crozet Elementary School, won the Cadet Boys' Championship at the National Horseshoe Pitchers Association's World Horseshoe Pitching Championships in Monroe, Louisiana, in July 2022; and

WHEREAS, Eli Sullivan went undefeated in the championship playoff and preliminary round against five other contestants in the cadet boys division, bringing home a title in his first-ever appearance at the National Horseshoe Pitchers Association's world tournament; and

WHEREAS, Eli Sullivan began throwing horseshoes around the age of six in his backyard with his father, Evan, who is also a skilled horseshoe pitcher and who has nurtured his son's love and gift for horseshoes over the years; and

WHEREAS, Eli Sullivan has tallied numerous tournament victories, including multiple wins at the Virginia Horseshoe Pitchers Association state championship, on his path to becoming a world champion; and

WHEREAS, Eli Sullivan entered the National Horseshoe Pitchers Association's world tournament having successfully recorded ringers, which refers to when the horseshoe completely encircles the stake, at an impressive rate of 64.69 percent in previous events; and

WHEREAS, with a limited number of competitors in the cadet division, which includes boys and girls ages six through 12, Eli Sullivan often faces off against seasoned adults in tournament play; as he has become a renowned star in the world of horseshoes, he has been admired not only for his exceptional skill and focus but for also demonstrating wisdom and humility beyond his years; and

WHEREAS, Eli Sullivan and his family were able to attend the National Horseshoe Pitchers Association's world tournament in person in July through the generosity of family, friends, and several local businesses, including Parkway Pharmacy and Crozet Hardware in Crozet, Red Line Construction and Renovation in Earlysville, and Virginia Quality Grow Supplies in Staunton; and

WHEREAS, Eli Sullivan's success is the result of his hard work and dedication, the leadership and guidance of his family and fellow horseshoe competitors, and the unwavering support of the entire Crozet community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Eli Sullivan hereby be commended for winning the 2022 Cadet Boys' Championship at the National Horseshoe Pitchers Association's World Horseshoe Pitching Championships; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Eli Sullivan as an expression of the Senate of Virginia's admiration for his accomplishments and best wishes in his future endeavors.



**SENATE RESOLUTION NO. 675**

*Commending the Crestwood Carver Friends of '72.*

Agreed to by the Senate, September 7, 2022

WHEREAS, the Crestwood Carver Friends of '72, comprising students from the former Crestwood High School and the former George Washington Carver High School in Chesapeake, celebrate their 50th anniversary high school reunion in 2022; and

WHEREAS, the Crestwood Carver Friends of '72 represent the 386 students who were relocated from Crestwood High School and George Washington Carver High School in 1971 and 1969, respectively, when those schools were closed as a result of integration efforts underway at the time; and

WHEREAS, members of this student body formed the Crestwood Carver Friends of '72 in 1988, which later organized and sponsored a 20th anniversary high school reunion for the former students of Crestwood High School and George Washington Carver High School in 1992; and

WHEREAS, the Crestwood Carver Friends of '72 went on to celebrate subsequent high school reunions in 1997, 2007, and 2013, offering opportunities to unite in their common bond and shared love for one another and to heal from the trauma many experienced following the dispersion of their school communities; and

WHEREAS, adopting the motto "Ain't No Stopping Us Now!," the Crestwood Carver Friends of '72 look to the future with fresh resolve and confidence that the pain they endured in the past will be the source of their strength today; and

WHEREAS, in honor of their golden jubilee high school reunion, the Crestwood Carver Friends of '72 will hold a reunion gala event on September 16, 2022, in Chesapeake with many notable and distinguished guests; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Crestwood Carver Friends of '72 hereby be commended on the occasion of their 50th anniversary high school reunion; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Crestwood Carver Friends of '72 as an expression of the Senate of Virginia's admiration for the group's history and purpose.

**SENATE RESOLUTION NO. 676**

*Commending Kelvin L. Wright.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Kelvin L. Wright, a distinguished law-enforcement officer who has served as chief of the Chesapeake Police Department for the last 14 years, retired on August 1, 2022; and

WHEREAS, Kelvin Wright joined the Chesapeake Police Department in 1982 as a patrolman and later served as a field training officer, traffic enforcement officer, and instructor in various capacities; and

WHEREAS, Kelvin Wright earned a promotion to the rank of sergeant in 1992, which led to his positions as patrol supervisor, special investigations section supervisor, and emergency dispatch center supervisor; and

WHEREAS, attaining the rank of lieutenant in 1996, Kelvin Wright took the helm of the Second Precinct as its executive officer and proved instrumental to the development and implementation of the Chesapeake Police Department's pilot community policing program in the South Norfolk section of the city; and

WHEREAS, elevated to the rank of captain in 1998, Kelvin Wright fulfilled the duties of several leadership positions, including commander of the Records and Support Section, commander of the Second Precinct, and first commander of the newly opened Fifth Precinct; and

WHEREAS, Kelvin Wright was key to advancing the efforts of the Chesapeake Police Department by revising its districting and manpower plan and by organizing and partnering with citizen groups and civic leagues to address community concerns and enact strategies to reduce crime; and

WHEREAS, appointed to the rank of major in 2003, Kelvin Wright commanded the Professional Standards Bureau, where his responsibilities included leading, directing, and overseeing myriad aspects of the Chesapeake Police Department's operations; and

WHEREAS, Kelvin Wright became chief of the Chesapeake Police Department at the rank of colonel on April 1, 2008, taking the reins of a growing, modern police force that today staffs more than 525 officers and civilian personnel and serves more than 242,000 citizens; and

WHEREAS, during his tenure as chief of police, Kelvin Wright created and carried out a department-wide crime reduction strategy that has significantly reduced crime in the City of Chesapeake, bolstering its reputation as one of the safest cities in the nation; and

WHEREAS, in preparation for his law-enforcement career, Kelvin Wright acquired an associate's degree in criminal justice from Tidewater Community College, a bachelor's degree in sociology from Saint Leo University, and a master's degree in public administration from Troy University and completed coursework for a doctorate in public administration with an emphasis on urban policy from Old Dominion University; and

WHEREAS, Kelvin Wright has supported the law-enforcement profession as first vice president of the Virginia Association of Chiefs of Police and the regional chair of the Midsize Agencies Division of the International Association of Chiefs of Police while also teaching classes on various subjects related to policing and criminology at Tidewater Community College; and

WHEREAS, in recognition of his service to the community, Kelvin Wright has received numerous honors and accolades over his career, including the City of Chesapeake's Star Performer Award and City Manager's Award and the Chesapeake Police Department's Meritorious Police Service Award; and

WHEREAS, Kelvin Wright has led the Chesapeake Police Department with great wisdom and integrity, earning the respect of his fellow officers and citizens while making Chesapeake a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That Kelvin L. Wright, chief of the Chesapeake Police Department, hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Kelvin L. Wright as an expression of the Senate of Virginia's admiration for his service and best wishes for a happy and fulfilling retirement.

### SENATE RESOLUTION NO. 677

*Commending Cyndi Richardson.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Cyndi Richardson, an accomplished peer support specialist at On Our Own, a peer recovery and support center in Charlottesville, was awarded the Dr. Fred Frese People with Mental Illness Lived Experience of the Year Award by Crisis Intervention Team International at the organization's annual conference in August 2022; and

WHEREAS, Cyndi Richardson was the recipient of this notable honor as a result of her active involvement on the community program level with Crisis Intervention Team (CIT) International, an organization dedicated to fostering community partnerships between law enforcement, mental health and addiction professionals, individuals who live with mental illness or addiction disorders and their families, and other advocates; and

WHEREAS, as a member of the community at On Our Own, Cyndi Richardson has helped an untold number of individuals access the resources and support they need on their paths to recovery from mental health challenges and substance abuse; and

WHEREAS, Cyndi Richardson has effectively cultivated relationships with both clients and fellow CIT officers that have been integral to her success as a peer recovery specialist; and

WHEREAS, Cyndi Richardson is admired by many for her calm and confident demeanor, which enhances her ability to put distressed individuals at ease and to de-escalate difficult and chaotic situations; and

WHEREAS, Cyndi Richardson has often promoted the efforts and accomplishments of CIT International at local, state, and regional conferences and other events, increasing awareness of the organization's impact in the community; and

WHEREAS, Cyndi Richardson's deep knowledge of both CIT training and the criminal justice system have bolstered her work as a leader and advocate in the movement to address mental health and substance abuse issues; and

WHEREAS, a longtime resident of Charlottesville who is well-known and respected throughout the community, Cyndi Richardson has encouraged many suffering from mental health or substance abuse disorders to seek assistance from CIT International or other programs, shaping countless lives in positive and lasting ways; now, therefore, be it

RESOLVED by the Senate of Virginia, That Cyndi Richardson hereby be commended for being awarded the 2022 Dr. Fred Frese People with Mental Illness Lived Experience of the Year Award by Crisis Intervention Team International; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Cyndi Richardson as an expression of the Senate of Virginia's admiration for her contributions to the Commonwealth.

### SENATE RESOLUTION NO. 678

*Commending Piedmont Virginia Community College.*

Agreed to by the Senate, September 7, 2022

WHEREAS, over the 2022-2023 academic year, Piedmont Virginia Community College will celebrate 50 years of providing students of all ages with exceptional educational and career training opportunities; and

WHEREAS, on April 8, 1969, 97.43 acres were purchased for the campus of Piedmont Virginia Community College at the southwest corner of Interstate 64 and Route 20 in Albemarle County; the groundbreaking for construction of an administrative building followed three years later; and

WHEREAS, with approximately 450 students enrolled for the fall quarter, Piedmont Virginia Community College officially held its first classes on September 25, 1972, in temporary facilities in Albemarle County and at the University of Virginia; and

WHEREAS, more than 247,500 students have been enrolled at Piedmont Virginia Community College since it opened and more than 17,000 individuals have received an associate degree or certificate; and

WHEREAS, Piedmont Virginia Community College has opened several satellite facilities in recent years, including in Greene County in 2012 and in Charlottesville at the Jefferson School City Center in 2013, on South Street in 2016, and on Second Street in 2017; and

WHEREAS, approximately 8,500 students are now served each year through Piedmont Virginia Community College's academic and workforce training programs, high school dual-enrollment courses, professional development and continuing education opportunities, and adult basic education programs; and

WHEREAS, Piedmont Virginia Community College proudly represents the geographic region comprising the City of Charlottesville and the Counties of Albemarle, Buckingham, Fluvanna, Greene, Louisa, and Nelson; and

WHEREAS, Piedmont Virginia Community College has served an important role in the economic development of the region, working with area school systems, business and industry partners, and local governments; and

WHEREAS, Piedmont Virginia Community College faculty, staff, students, alumni, and board members have brought honor and positive recognition to the region and to the Commonwealth; and

WHEREAS, Piedmont Virginia Community College remains committed to its mission to offer accessible, affordable, high-quality educational programs that promote student success and community vitality; now, therefore, be it

RESOLVED by the Senate of Virginia, That Piedmont Virginia Community College hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Dr. Jean Runyon, president of Piedmont Virginia Community College, as an expression of the Senate of Virginia's congratulations on this historic milestone.

### SENATE RESOLUTION NO. 679

*Commending David Hutcheson.*

Agreed to by the Senate, September 7, 2022

WHEREAS, David Hutcheson, a dedicated and highly admired public safety officer, will retire as the fire chief of the City of Virginia Beach in 2022 after 35 years of exceptional service; and

WHEREAS, David Hutcheson began his career in firefighting as a volunteer at Kempsville Fire Station No. 9, then joined the Virginia Beach Fire Department in 1988; and

WHEREAS, over the course of his career, David Hutcheson held various fire station assignments and served as captain of fire administration, chief public information officer, district chief, and deputy chief of operations; and

WHEREAS, David Hutcheson was selected as interim fire chief in November 2016 and officially appointed as the fifth fire chief of the City of Virginia Beach in June 2017; and

WHEREAS, among his many achievements as chief, David Hutcheson played an important role in the creation of the Mutual Aid Agreement with Joint Expeditionary Base Little Creek/Fort Story to allow for cohabitation of military and civilian firefighters on the base; and

WHEREAS, David Hutcheson developed a surface rescue swimmers program, increased operational readiness by establishing a fifth battalion, oversaw the addition of shift commanders for all shifts, and guided the construction of Burton Fire Station No. 22; and

WHEREAS, David Hutcheson also appointed the first LGBTQ liaison for the department and the region and implemented a diversity, equity, and inclusion committee for the department; and

WHEREAS, David Hutcheson has also volunteered his time and leadership to his peers across the Commonwealth as a past president of the executive board of the Virginia Fire Chiefs Association; and

WHEREAS, as a longtime member of Virginia Task Force 2 Urban Search and Rescue Team, David Hutcheson has responded to natural disasters and other crisis situations around the country, including the Oklahoma City bombing; now, therefore, be it

RESOLVED by the Senate of Virginia, That David Hutcheson hereby be commended on the occasion of his retirement as fire chief of the City of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to David Hutcheson as an expression of the Senate of Virginia's admiration for his achievements in service to the Virginia Beach community.

**SENATE RESOLUTION NO. 680**

*Celebrating the life of Merrilu Paulin Ablowich.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Merrilu Paulin Ablowich, an esteemed educator and active and beloved member of the Virginia Beach community, died on July 27, 2022; and

WHEREAS, Merrilu Ablowich graduated from Norview High School in Norfolk before earning a bachelor's degree from The College of William and Mary and a master's degree in education from George Washington University; and

WHEREAS, Merrilu Ablowich dedicated her professional career to the growth and development of young people, first as a reading specialist and later as an early elementary school teacher in Norfolk and Virginia Beach; and

WHEREAS, Merrilu Ablowich helped to promote literacy and learning in her community through Friends of the Virginia Beach Public Library and as a 16-year member of the Virginia Beach Public Library Board; and

WHEREAS, Merrilu Ablowich's impact in Virginia Beach was also felt through her involvement with local organizations such as the Princess Anne Republican Women's Club; and

WHEREAS, Merrilu Ablowich helped to preserve the Commonwealth's venerable tradition of foxhunting through her support of the James River Hunt and Princess Anne Hunt clubs; and

WHEREAS, Merrilu Ablowich was an avid antiquarian and reader whose deep compassion and concern for animals inspired her to rescue and care for several over her lifetime; and

WHEREAS, Merrilu Ablowich will be fondly remembered and dearly missed by her loving husband, Al; her daughter, Susan, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Merrilu Paulin Ablowich, a cherished member of the Virginia Beach community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Merrilu Paulin Ablowich as an expression of the Senate of Virginia's respect for her memory.

**SENATE RESOLUTION NO. 681**

*Commending Sinking Spring Presbyterian Church.*

Agreed to by the Senate, September 7, 2022

WHEREAS, for 250 years, Sinking Spring Presbyterian Church has provided wise spiritual leadership, generous outreach, and opportunities for joyful worship to the members of the Abingdon community; and

WHEREAS, established in 1772, Sinking Spring Presbyterian Church has served generations of local residents and predates the formation of both Washington County and the Town of Abingdon by several years; and

WHEREAS, Sinking Spring Presbyterian Church held its first services in a log structure located in Sinking Spring Cemetery with the Reverend Charles Cummings as its first minister; the congregation erected a new building in 1783, then built a new church on Main Street in 1832, which is now the Barter Theatre; and

WHEREAS, Sinking Spring Presbyterian Church moved to a new building at the corner of Main Street and Pecan Street in the early 1850s, then completed its fifth and current sanctuary in the early 1890s; and

WHEREAS, over the years, Sinking Spring Presbyterian Church has benefited from the exceptional leadership of numerous pastors, including the Reverend Dr. Richard Taylor, who led the congregation from 1963 to 1979 and worked with community members to carve the church's unique display of wooden doors with intricate designs representing each of the 12 apostles; and

WHEREAS, in 1969, the Reverend Dodie Rossell was ordained as the first female pastor of Sinking Spring Presbyterian Church, becoming one of the first female pastors in the Commonwealth; and

WHEREAS, Sinking Spring Presbyterian Church recently uncovered a trove of old photographs, handwritten sermons, Bibles, and other artifacts and organized a series of panel exhibits in the entrance hallway, allowing members of the public to better understand the church's heritage and contextualize its role in the community; and

WHEREAS, Sinking Spring Presbyterian Church has commemorated its milestone anniversary with a series of events, including an open house during the Virginia Highlands Festival and a special homecoming service on August 14, 2022, with the theme "Reflecting the Past, Lighting the Future"; now, therefore, be it

RESOLVED by the Senate of Virginia, That Sinking Spring Presbyterian Church hereby be commended on the occasion of its 250th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Reverend Kevin Campbell, pastor of Sinking Spring Presbyterian Church, as an expression of the Senate of Virginia's admiration for the church's rich history and contributions to the community.

**SENATE RESOLUTION NO. 682**

*Commending South County Middle School.*

Agreed to by the Senate, September 7, 2022

WHEREAS, in 2022, South County Middle School celebrates its 10th anniversary of providing an outstanding education to young people in Lorton; and

WHEREAS, South County Middle School was previously part of South County Secondary School, which served students in grades seven through 11 from Lorton, Fairfax Station, and part of Springfield between 2005 and 2012; and

WHEREAS, South County Secondary School quickly outgrew its capacity, and Fairfax County developed plans to build a new middle school on nearby land that had formerly served as a cornfield for Occoquan Workhouse minimum security prison and the site of a Cold War anti-aircraft missile battery; and

WHEREAS, South County Middle School opened on September 4, 2012, with Marsha Manning as its first principal; the school was founded with a mission to produce "Capable, Connected, and Contributing" citizens who were well-prepared to meet the challenges of a global society; and

WHEREAS, South County Middle School chose the Mustang as its school mascot and regatta blue, apple green, and maroon as its school colors; and

WHEREAS, South County Middle School opened with 1,053 students in seventh and eighth grades supported by 101 faculty, administrators, and staff; the initial enrollment was composed of students from Halley Elementary School, Laurel Hill Elementary School, Newington Forest Elementary School, Silverbrook Elementary School, Gunston Elementary School, and Lorton Station Elementary School; and

WHEREAS, South County Middle School has maintained an academically rigorous curriculum and a positive, supportive learning environment; the school offers an array of specialized services for students, including the Advanced Academics Level IV Center Program, an honors program, a special education program, and numerous electives in the arts, career and technical education, and world languages; and

WHEREAS, South County Middle School has adapted to changes in teaching methods and technology to support modern learning; each student receives a laptop with access to dynamic resources and tools tailored to each student's unique learning needs; and

WHEREAS, South County Middle School's Parent-Teacher-Student Organization and the entire school community continue to work in partnership to facilitate student success and high achievement in and out of the classroom; and

WHEREAS, under the leadership of current principal Peter Kownacki, the South County Middle School Mustangs are committed to demonstrating the character traits of Honesty, Ownership, Respect, Service, and Effort (HORSE); now, therefore, be it

RESOLVED by the Senate of Virginia, That South County Middle School hereby be commended on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to South County Middle School as an expression of the Senate of Virginia's admiration for its achievements in service to young people in Lorton.

**SENATE RESOLUTION NO. 683**

*Commending the American Horticultural Society.*

Agreed to by the Senate, September 7, 2022

WHEREAS, for 100 years, the American Horticultural Society has promoted the importance of sustainable gardening and nurtured excellence in horticulture throughout the Commonwealth and the nation; and

WHEREAS, founded in 1922, the American Horticultural Society is the oldest and most well-known national gardening organization in the United States; and

WHEREAS, over the years, the American Horticultural Society merged with two other national gardening groups, the National Horticultural Society in 1926 and the American Horticultural Council in 1960; and

WHEREAS, the American Horticultural Society conducts a wide array of annual events and programs with the goal of educating and inspiring gardeners across the United States and around the world; and

WHEREAS, each summer the American Horticultural Society hosts the National Children & Youth Garden Symposium, which is a forum for educators, garden designers, community leaders, and children's gardening advocates to network and collaborate on techniques and best practices to help young people engage with the natural world; and

WHEREAS, through its national awards program and other outreach efforts, the American Horticultural Society celebrates outstanding achievements, encourages continued excellence, and inspires innovation in the art and science of horticulture; and

WHEREAS, in 1973, the American Horticultural Society relocated its headquarters to River Farm overlooking the Potomac River in Alexandria; the property was acquired by the American Horticultural Society through a gift from

Enid Annenberg Haupt, who stipulated that the historic grounds, once part of George Washington's land holdings, would be open for the public to enjoy; and

WHEREAS, the American Horticultural Society holds numerous events at River Farm, including the Spring Garden Market plant sale and a gala fundraiser each fall; and

WHEREAS, the American Horticultural Society's horticultural and corporate member programs offer opportunities for partnerships with allied organizations that help support the American Horticultural Society's vision of a land of sustainable gardens, cultivated by a diverse population with a common passion for plants; and

WHEREAS, the American Horticultural Society has fulfilled its mission to share with all Americans the critical role of plants, gardens, and green spaces in creating healthy, livable communities and a sustainable planet through the hard work and support of generations of members, volunteers, and partners; now, therefore, be it

RESOLVED by the Senate of Virginia, That the American Horticultural Society hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the American Horticultural Society as an expression of the Senate of Virginia's admiration for the organization's vital mission to protect and preserve the natural world.

### SENATE RESOLUTION NO. 684

*Commending Amy Schott.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Amy Schott, the principal of Henderson Elementary School in Prince William County, was selected the 2022 Principal of the Year by the *Washington Post*; and

WHEREAS, Amy Schott is a graduate of Texas Christian University, from which she earned a bachelor's degree in early childhood education; and

WHEREAS, Amy Schott received a master's degree from George Mason University and served at Rockledge Elementary School for 13 years before joining the administration of Henderson Elementary School; and

WHEREAS, Amy Schott strives to make every student feel safe and welcome at Henderson Elementary School and regularly researches best practices to enhance opportunities for students both in and out of the classroom; and

WHEREAS, Amy Schott builds strong, personal relationships with students and their families, ensuring that educational and developmental goals are met and students have a rewarding academic experience; and

WHEREAS, Amy Schott helps brighten the mornings of student, faculty, and staff members by playing inspirational music and reading supportive messages at the beginning of every school day, and she has become known by her colleagues as the school's "chief fun officer"; and

WHEREAS, during the COVID-19 pandemic, Amy Schott worked diligently to help students, faculty, and staff members adapt to remote and hybrid learning, as well as coordinate a return to in-person learning; now, therefore, be it

RESOLVED by the Senate of Virginia, That Amy Schott, principal of Henderson Elementary School, hereby be commended on the occasion of her selection as 2022 Principal of the Year by the *Washington Post*; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Amy Schott as an expression of the Senate of Virginia's admiration for her contributions to young people in Prince William County.

### SENATE RESOLUTION NO. 685

*Celebrating the life of Robert Peter Lalor, Jr.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Robert Peter Lalor, Jr., a respected leader in the field of independent power producers and an active member of the Eastern Shore community, died on March 7, 2020; and

WHEREAS, Robert "Pete" Lalor grew up in New York City and Pinchurst, New York; he graduated from St. David's Academy and Admiral Farragut Academy, then earned bachelor's and master's degrees in engineering from Duke University; and

WHEREAS, Pete Lalor was selected as a Smithsonian Institution Fellow and spent two years working in Malaysia; he continued his education at the University of Virginia in 1982, earning a law degree and master of business administration degree; and

WHEREAS, Pete Lalor began his career as a civil engineer and worked in corporate law, then became a pioneer in the emerging market of independent power producers, working on projects related to hydroelectric power, combined heat and power, and natural gas; and

WHEREAS, Pete Lalor established Commonwealth Power Corporation, which provided energy-related services in Asia, Europe, and Latin America; he was an accomplished world traveler and a skilled linguist who opened an office in Egypt and oversaw the construction of subway cars for the Hartsfield-Jackson Atlanta International Airport transit system; and

WHEREAS, Pete Lalor played a vital role in the development of an independent power plant in New Church that came on line in 2001 and provides a reliable source of power to his fellow residents of the Eastern Shore; and

WHEREAS, outside of his career, Pete Lalor was a dedicated philanthropist who worked to enhance the quality of life on the Eastern Shore; he was a longtime board member and former chair of Riverside Shore Memorial Hospital and the Riverside Memorial Hospital Foundation as well as a member of the Riverside Health System board of directors; and

WHEREAS, in addition, Pete Lalor offered his leadership and expertise to the Eastern Shore Community College Foundation, the Eastern Shore Broadband Authority, and the Virginia Institute of Marine Science Advisory Committee; and

WHEREAS, Pete Lalor was an avid sailor who navigated the South China Sea and the Indian Ocean in his youth and later sailed across the Atlantic Ocean on a 32-foot boat; he relished every opportunity to enjoy the great outdoors on the Eastern Shore, either kayaking on inland waters or sailing on Onancock Creek; and

WHEREAS, Pete Lalor was a longstanding member of the Eastern Shore Yacht and Country Club and volunteered his time at the annual Wachapreague Volunteer Fireman's Carnival, where he was well known for making the tallest ice cream cones; and

WHEREAS, Pete Lalor will be fondly remembered and greatly missed by his wife of 41 years, Deborah; his sons, Robert III and Matthew, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Robert Peter Lalor, Jr., a highly admired resident of the Eastern Shore; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Robert Peter Lalor, Jr., as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 686

*Commending the Frank W. Cox High School boys' soccer team.*

Agreed to by the Senate, September 7, 2022

WHEREAS, the Frank W. Cox High School boys' soccer team won the Virginia High School League Class 5 state championship at Briar Woods High School in Ashburn on June 11, 2022; and

WHEREAS, the Frank W. Cox High School Falcons defeated the Riverside High School Rams of Loudoun County by a score of 2-0 to capture the program's fourth state championship title and its first in 12 years; and

WHEREAS, the Frank W. Cox Falcons started the match strong and quickly secured their first goal when a corner kick from Dax Booth was driven home by midfielder Robbie Morgan; and

WHEREAS, the Frank W. Cox Falcons then bolstered their lead when a cross from CJ Vakos to Robbie Morgan led to the team's second goal and the final score of the match; and

WHEREAS, the stellar defense of the Frank W. Cox Falcons that earned the team a shutout was led by center back Aaron Deans, whose return to the team from an injury in the second half of the season proved vital to the team's success; and

WHEREAS, the Frank W. Cox Falcons posted an impressive record of 15-4-1 in their championship season, including wins in eight of their last nine matches; and

WHEREAS, the accomplishments of the Frank W. Cox Falcons are the result of the effort and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their parents and the entire Frank W. Cox High School community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Frank W. Cox High School boys' soccer team hereby be commended for winning the 2022 Virginia High School League Class 5 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Frank W. Cox High School boys' soccer team as an expression of the Senate of Virginia's admiration for the team's achievement.

### SENATE RESOLUTION NO. 687

*Celebrating the life of Richard Lee Spreder, Sr.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Richard Lee Spreder, Sr., a retired law-enforcement officer who made many contributions to the Virginia Beach community, died on May 26, 2022; and

WHEREAS, Richard "Rick" Spreder graduated from Princess Anne High School and served his country as a member of the United States Marines Corps Reserve from 1969 to 1995, when he retired with the rank of chief warrant officer 4; and

WHEREAS, in 1972, Rick Spreder began serving his community as a member of the Virginia Beach Police Department; he completed a wide range of assignments over the course of his distinguished tenure and helped established the department's mounted patrol division; and

WHEREAS, Rick Spreder transferred to the Virginia Beach Sheriff's Office in 1997 and served as captain of the Workforce Program until his well-earned retirement in 2008; and

WHEREAS, Rick Spreder continued seeking opportunities to enhance community life, building fellowship with other former students of Princess Anne High School as an active alumnus and volunteering his time and leadership to the Creeds Ruritan Club; and

WHEREAS, outside of his career and his achievements in community service, Rick Spreder completed several rides across the United States on his Harley-Davidson motorcycle and enjoyed fishing for flounder on the Eastern Shore; his talent for cooking was well known throughout the Eastern Shore thanks to his delicious pig roasts at Black Duck Lodge; and

WHEREAS, Rick Spreder enjoyed spending time with family and friends at his vacation home in Carova Beach, North Carolina; and

WHEREAS, Rick Spreder will be fondly remembered and greatly missed by his wife of 51 years, Barbara; his children, Richard, Jr., Paul, and Beth, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Richard Lee Spreder, Sr., a highly admired former police officer in Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Richard Lee Spreder, Sr., as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 688

*Celebrating the life of Taleshia L. Chandler.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Taleshia L. Chandler, a vibrant member of the Richmond community who touched countless lives through her faith leadership and generosity, died on August 3, 2022; and

WHEREAS, a native of Baltimore, Maryland, Taleshia Chandler graduated from the University of Maryland, Baltimore County, then earned master's and doctoral degrees from Walden University in Minnesota; and

WHEREAS, Taleshia Chandler pursued a 22-year career in education, beginning as a French teacher with Baltimore City Public Schools; she later served as an adjunct psychology instructor for the University of Phoenix and most recently served as the administrative dean of the Amelia Street School in Richmond; and

WHEREAS, in 2000, Taleshia Chandler's husband, Anthony, became the pastor of New Bethlehem Baptist Church in Baltimore; the couple enjoyed eight years with the congregation until they became the pastor and first lady of Cedar Street Baptist Church of God in Union Hill; and

WHEREAS, as first lady of Cedar Street Baptist Church of God, Taleshia Chandler was an integral part of the congregation's music ministry and released an inspirational song, "I Win" in 2020; and

WHEREAS, Taleshia Chandler also authored two books about her personal experiences with cancer, *A Divine Detour: From Doctorate to Diagnosis to Destiny* and *Sparkling through Adversity: Traveling through Life's Toughest Journeys with Style, Grace & Shine!*, and touched countless lives across the country by sharing her message of hope and resilience; and

WHEREAS, Taleshia Chandler will be fondly remembered and greatly missed by her husband of 25 years, Anthony; her children, Anthony II, Alysha, and Andrew, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Taleshia L. Chandler; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Taleshia L. Chandler as an expression of the Senate of Virginia's respect for her memory.

### SENATE RESOLUTION NO. 689

*Commending Pauline Bradshaw Jones.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Pauline Bradshaw Jones, a highly admired dance instructor and a vibrant member of the Deep Creek neighborhood of Chesapeake, retired in 2022 after more than four decades of service to young people; and

WHEREAS, Pauline Jones began dancing at the age of 14 under the tutelage of Carrol Stewart in South Norfolk, and she and a few other students ultimately volunteered to teach classes for a period when their instructor was ill; and

WHEREAS, in 1976, Pauline Jones opened her own dance studio, the Pauline Bradshaw School of Dance, in her garage in the Brentwood section of Deep Creek; she began her teaching career with 24 students, most of whom lived in the neighborhood or were the children of friends and family members; and

WHEREAS, after Carrol Stewart retired in 1980, many of her former students signed up for classes with Pauline Jones, leading the Pauline Bradshaw School of Dance to expand to a new studio on Oklahoma Drive in Deep Creek; and

WHEREAS, Pauline Jones subsequently relocated the studio to a facility on S. Military Highway, where she enrolled hundreds of students at a time and taught generations of young dancers, many of whom went on to pursue the performing arts in their adult lives; and



WHEREAS, at the end of each year, Pauline Jones staged a recital for students to demonstrate their skills for family members and friends in a full theatrical production featuring high-quality lighting, sound, and costumes; and

WHEREAS, Pauline Jones's end-of-the-year recital was regularly held in the Deep Creek High School auditorium until the COVID-19 pandemic; in 2020, the recital was cancelled and replaced with an outdoor drive-through graduation ceremony at the school, and in 2021, it was held at Khedive Shrine Temple in Greenbrier; and

WHEREAS, Pauline Jones generously donated all of the proceeds from her fees and recital tickets to Deep Creek High School, and her contributions supported the school band, cheerleading team, drama club, key club, yearbook club, and parent-teacher association; and

WHEREAS, Pauline Jones touched the lives of countless young people from Chesapeake and South Norfolk, and she enhanced cultural life in the region by cultivating a fond appreciation for dance and the performing arts; now, therefore, be it

RESOLVED by the Senate of Virginia, That Pauline Bradshaw Jones hereby be commended on the occasion of her retirement as a dance instructor; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Pauline Bradshaw Jones as an expression of the Senate of Virginia's admiration for her contributions to the performing arts and support for young people in Hampton Roads.

### SENATE RESOLUTION NO. 690

*Celebrating the life of Carol LaVerne Elliott King.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Carol LaVerne Elliott King, an esteemed nurse and advocate and a lifelong and beloved member of the Portsmouth community, died on August 22, 2022; and

WHEREAS, a member of the I.C. Norcom High School Class of 1967 and the I.C. Norcom Greyhounds Band, Carol King would go on to graduate from nursing school in Portsmouth before embarking upon a distinguished career in health care; and

WHEREAS, Carol King started working first at Portsmouth General Hospital and later joined the staff at the former Naval Hospital Portsmouth, earning several recognitions over the years for her service; and

WHEREAS, with an unquenchable thirst for knowledge, Carol King continued her studies, earning an associate's degree from Tidewater Community College, a bachelor's degree and master's degree from Norfolk State University, and a certificate from Union Christian Bible Institute; and

WHEREAS, Carol King honed her skills as a caregiver by acquiring a certification as a healing touch practitioner from Healing Touch International, Inc.; and

WHEREAS, Carol King served the Commonwealth honorably as a medical officer with the Virginia Defense Force, attaining the rank of captain; and

WHEREAS, an active member of the Red Hat Society, whose members are commonly referred to as Red Hatters, Carol King took immeasurable joy in forming meaningful and lasting bonds with other women in her community; and

WHEREAS, as a result of her exceptional leadership and expertise, Carol King received appointments from Governors George Allen and Jim Gilmore to the Board of Nursing and later an appointment from Governor Mark Warner to the Alzheimer's Disease and Related Disorders Commission; and

WHEREAS, a passionate and effective advocate for older adults, Carol King served on the board of the Southeastern Virginia Chapter of the Alzheimer's Association and frequently provided testimony to members of both the General Assembly and the United States Congress to advance causes that were important to her; and

WHEREAS, guided throughout her life by her faith, Carol King enjoyed worship and fellowship with her community at Zion Baptist Church in Portsmouth for many years; and

WHEREAS, preceded in death by her loving husband, Joe, Jr., Carol King will be fondly remembered and dearly missed by her son, Joe III, and his family; her sisters, Demetra and Miriam; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Carol LaVerne Elliott King, an accomplished nurse and advocate whose devotion to caring for others touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Carol LaVerne Elliott King as an expression of the Senate of Virginia's respect for her memory.

### SENATE RESOLUTION NO. 691

*Celebrating the life of Charles M. Greenhood.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Charles M. Greenhood, a hardworking entrepreneur in Portsmouth, died on August 30, 2022; and

WHEREAS, a native of Portsmouth, Charles Greenwood graduated from Old Dominion University, then opened Greenwood Distributors with his father, Alfred; and

WHEREAS, Charles Greenwood subsequently relocated to Sint Maarten with his wife, Kathy, and the couple opened West Indies Yogurt Company in 1986; and

WHEREAS, Charles and Kathy Greenwood returned to Portsmouth in 1993, then opened a restaurant and catering business that featured a local favorite dish, BagelNutz, a ball of bagel dough stuffed with cream cheese; and

WHEREAS, Charles Greenwood strove to bring joy to others in all his endeavors and supported the Portsmouth community through his advocacy and generosity; and

WHEREAS, Charles Greenwood will be fondly remembered and greatly missed by his wife, Kathy; his children, Ellisha, Allison, Aaron, Max, and Molly, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Charles M. Greenwood, an active member of the Portsmouth community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Charles M. Greenwood as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 692

*Celebrating the life of Margaret Ann McDaniel.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Margaret Ann McDaniel, an accomplished educator and advocate and an active and beloved member of the Portsmouth community, died on August 16, 2022; and

WHEREAS, affectionately known by many as "Peggy," Margaret McDaniel was raised in a family of nine children and graduated from I.C. Norcom High School in Portsmouth, where she was a majorette in the school's marching band; and

WHEREAS, for many years, Margaret McDaniel was employed at William E. Waters Middle School in Portsmouth, where her hard work and initiative led to a position as a teacher's aide in the school's home economics course; and

WHEREAS, Margaret McDaniel was a tireless advocate for her Cavalier Manor community in Portsmouth, securing better street lighting, greater police presence, and sidewalks for the neighborhood she called home; and

WHEREAS, Margaret McDaniel was known and respected throughout her community for reliably being the first to offer aid and comfort to the sick or words of encouragement to the youth; and

WHEREAS, Margaret McDaniel's caring nature was evident in everything she did, such as hosting big meals for friends and family, sewing costumes or uniforms for the benefit of others, and more; and

WHEREAS, as a testament to her gifts as a communicator, Margaret McDaniel received an official reply from the White House, signed by former President William J. Clinton and former First Lady Hillary Clinton, following a letter she wrote expressing her appreciation for their service; and

WHEREAS, guided throughout her life by her faith, Margaret McDaniel served with various ministries in Portsmouth, including at Mount Calvary Baptist Church, New Mount Olivet Baptist Church, and Ebenezer Baptist Church; and

WHEREAS, Margaret McDaniel will be fondly remembered and dearly missed by her loving husband of 64 years, David, Sr.; her sons, David, Jr., and Larry, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Margaret Ann McDaniel, a cherished member of the Portsmouth community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Margaret Ann McDaniel as an expression of the Senate of Virginia's respect for her memory.

### SENATE RESOLUTION NO. 693

*Celebrating the life of Louis Ray Jones.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Louis Ray Jones, a highly admired local business leader and a consummate public servant who made many contributions to the residents of Virginia Beach as a longtime member of the city council and a former mayor, died on June 18, 2022; and

WHEREAS, a graduate of The College of William and Mary and the Echols College of Mortuary Science, Louis Jones served the community as the owner of Hollomon-Brown Funeral Home & Crematory, ensuring that local families were treated with the utmost dignity, care, and professionalism in their times of need; and

WHEREAS, desirous to be of further service to the Virginia Beach community, Louis Jones sought election to the Virginia Beach City Council and was campaigning for his ninth term on the council at the time of his passing; and

WHEREAS, Louis Jones represented the residents of the Bayside District as a council member for more than 35 years and had served as mayor from July 1982 to June 1984 and again from May 2018 to November 2018; he also served as vice mayor from 2001 to 2018; and

WHEREAS, during his long tenure on the Virginia Beach City Council, Louis Jones was a trusted friend and mentor to numerous other local government officials and earned the admiration of his colleagues for his decisive leadership style, integrity, commitment to excellence, and unwavering passion for service; and

WHEREAS, Louis Jones strove to enhance the quality of life of all residents of his beloved Virginia Beach by balancing responsible growth with the protection of the community's natural resources, and he was a critical source of institutional knowledge in the region; and

WHEREAS, among his many achievements, Louis Jones played a vital role in the completion of the Lake Gaston pipeline project, which provides more than 60 million gallons of fresh water to Virginia Beach every day; and

WHEREAS, Louis Jones represented the council and the community on a range of local and regional bodies, including the Hampton Roads Planning District Commission, the Hampton Roads Metropolitan Planning Organization, the Bayfront Advisory Commission, the Virginia Beach Development Authority, and many others; and

WHEREAS, Louis Jones will be fondly remembered and greatly missed by his beloved wife of 68 years, Ellen; his four children and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Louis Ray Jones, a pillar of the Virginia Beach community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Louis Ray Jones as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 694

*Celebrating the life of Mark C. Nunez.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Mark C. Nunez, an active member of the Eastern Shore community who touched many lives through his generosity, died on April 5, 2022; and

WHEREAS, born in Violet, Louisiana, Mark Nunez graduated from Holy Cross High School in New Orleans and earned a business administration degree from Louisiana State University; and

WHEREAS, after completing his education, Mark Nunez relocated to Massachusetts, where he worked with the regional division of Nestlé Waters North America, Poland Springs; he later worked for the company's Mid-Atlantic division, Deer Park, after settling on the Eastern Shore in 2005; and

WHEREAS, as a resident of Cape Charles, Mark Nunez quickly became involved with numerous service organizations, including the Cape Charles Rotary Club and local Salvation Army, and he worked diligently to enhance the quality of life for all his fellow residents; and

WHEREAS, Mark Nunez enjoyed fellowship and worship with the congregation of St. Charles Catholic Church and proudly served as the grand knight of the Knights of Columbus Council No. 14263; and

WHEREAS, Mark Nunez oversaw many fundraising efforts through the Knights of Columbus to sustain annual scholarships for local high school students and support other important community initiatives; and

WHEREAS, Mark Nunez was a passionate advocate for animals and provided a loving home for several dogs and cats throughout his life; and

WHEREAS, Mark Nunez had countless other hobbies and a wide range of interests, including sports, science, astronomy, and history; he especially loved caring for his garden and beehives, and he delighted his family every year with his elaborate Christmas tree decorations; and

WHEREAS, Mark Nunez will be fondly remembered and greatly missed by his wife, Katie; his mother, Sandra; his sister, Rebecca; his wife's extended family, including 17 beloved nieces and nephews; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Mark C. Nunez, a highly admired community leader on the Eastern Shore; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Mark C. Nunez as an expression of the Senate of Virginia's respect for his memory.

### SENATE RESOLUTION NO. 695

*Commending Vera Punke.*

Agreed to by the Senate, September 7, 2022

WHEREAS, Vera Punke, a cherished member of the Arlington community, celebrated her 107th birthday on August 29, 2022; and

WHEREAS, the daughter of Italian immigrants who overcame an untold number of challenges to achieve their dreams in the United States, Vera Punke has lived her whole life with great fortitude and sense of purpose; and

WHEREAS, Vera Punke's unwavering optimism and determination were further forged by the example of her mother, Rosina, who worked tirelessly to raise her and her three siblings by herself after the death of Vera Punke's father, Amadeo; and

WHEREAS, Vera Punke met Al DiMeglio when she was 19 years of age, and they were married three years later, forming a union that would bless them with two children, Richard and Elda; and

WHEREAS, Vera Punke embraced motherhood and was highly involved in her children's lives and their activities, serving variously as a Girl Scouts of the USA den leader and camp director, a Boy Scouts of America den mother, and a parent-teacher association president; and

WHEREAS, later in life, Vera Punke pursued a career as an entrepreneur, owning and operating three successful businesses in Providence, Rhode Island, and was also a dedicated community activist and organizer, serving formerly as president of her homeowners' association; and

WHEREAS, over her diverse and accomplished career, Vera Punke was notably a published correspondent in her local newspaper at a time when women were still largely shut out of most newsrooms; and

WHEREAS, confronted with the death of her husband and the task of raising her young daughter alone, Vera Punke refused to cower or to become dependent on the help of others, striving indefatigably to ensure a good life for her and her family; and

WHEREAS, after subsequent marriages and a time living in Florida, Vera Punke has most recently taken residence at The Jefferson retirement and assisted living community in Arlington, where her radiant presence is a constant source of delight for both fellow residents and staff; and

WHEREAS, at 107 years of age, Vera Punke remains an active and energetic member of her community, offering bridge lessons to residents of The Jefferson and frequently participating in the facility's outside activities; and

WHEREAS, Vera Punke's latest birthday with friends and neighbors was featured in local print and television news, bringing greater recognition to a member of the Arlington community who has been an inspiration to so many over the years; now, therefore, be it

RESOLVED by the Senate of Virginia, That Vera Punke hereby be commended on the occasion of her 107th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Vera Punke as an expression of the Senate of Virginia's admiration for her life and legacy of service.

### **SENATE RESOLUTION NO. 696**

*Nominating persons to be elected to circuit court judgeships.*

Agreed to by the Senate, September 7, 2022

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected to the respective circuit court judgeships as follows:

The Honorable Robert H. Morrison, of Halifax, as a judge of the Tenth Judicial Circuit for a term of eight years commencing October 1, 2022.

The Honorable Matthew P. Snow, of Loudoun, as a judge of the Twentieth Judicial Circuit for a term of eight years commencing December 1, 2022.

### **SENATE RESOLUTION NO. 697**

*Nominating a person to be elected to a general district court judgeship.*

Agreed to by the Senate, September 7, 2022

RESOLVED by the Senate of Virginia, That the following person is hereby nominated to be elected to the respective general district court judgeship as follows:

William R. Fitzpatrick, Esquire, of Loudoun, as a judge of the Twentieth Judicial District for a term of six years commencing December 1, 2022.

### **SENATE RESOLUTION NO. 698**

*Nominating a person to be elected to a juvenile and domestic relations district court judgeship.*

Agreed to by the Senate, September 7, 2022

RESOLVED by the Senate of Virginia, That the following person is hereby nominated to be elected to the respective juvenile and domestic relations district court judgeship as follows:

Brendan U. Dunning, Esquire, of Halifax, as a judge of the Tenth Judicial District for a term of six years commencing October 1, 2022.

SUMMARY OF 2022 SPECIAL SESSION I LEGISLATION

TOTAL INTRODUCED LEGISLATION .....	363
House Bills .....	31
Senate Bills .....	18
House Joint Resolutions .....	5
Senate Joint Resolutions .....	0
House Resolutions .....	211
Senate Resolutions .....	98
TOTAL LEGISLATION PASSED AND/OR AGREED TO .....	330
House Bills .....	14
Senate Bills .....	8
House Joint Resolutions .....	4
Senate Joint Resolutions .....	0
House Resolutions .....	207
Senate Resolutions .....	97
TOTAL BILLS ENACTED INTO LAW .....	22
House Bills .....	14
Senate Bills .....	8
House Joint Resolutions .....	0
Senate Joint Resolutions .....	0
TOTAL CHAPTERS .....	22
BILLS VETOED BY GOVERNOR .....	0
House Bills .....	0
Senate Bills .....	0

## HOUSE AND SENATE BILLS APPROVED SHOWING CHAPTERS AND PAGE NUMBERS

HOUSE			SENATE		
HB	Chapter	Page	SB	Chapter	Page
29	1	1	47	3	1139
30	2	447	324	19	1161
90	5	1141	451	4	1140
103	6	1142	471	20	1163
349	7	1144	473	9	1145
563	8	1144	490	21	1164
653	10	1146	528	15	1156
680	11	1148	579	22	1167
1046	12	1152			
1053	13	1152			
1128	14	1153			
1206	16	1159			
1257	17	1160			
1319	18	1160			

**THE HOUSE OF DELEGATES  
2022 SPECIAL SESSION I**

District Number	Name	County and/or City Represented
68	Adams, Dawn M. (D)	Counties of Chesterfield (part) and Henrico (part); City of Richmond (part)
16	Adams, Leslie R. (R)	Counties of Henry (part) and Pittsylvania (part); City of Martinsville
83	Anderson, Timothy V. (R)	Cities of Norfolk (part) and Virginia Beach (part)
19	Austin, Terry L. (R)	Counties of Alleghany, Bedford (part), and Botetourt (part); City of Covington
20	Avoli, G. John (R)	Counties of Augusta (part), Highland, and Nelson (part); Cities of Staunton and Waynesboro
74	Bagby, Lamont (D)	County of Henrico (part)
12	Ballard, Jason S. (R)	Counties of Giles, Montgomery (part), and Pulaski (part); City of Radford
96	Batten, Amanda E. (R)	Counties of James City (part) and York (part)
58	Bell, Robert B. (R)	Counties of Albemarle (part), Fluvanna (part), Greene, and Rockingham (part)
45	Bennett-Parker, Elizabeth B. (D)	Counties of Arlington (part) and Fairfax (part); City of Alexandria (part)
100	Bloxom, Robert S., Jr. (R)	Counties of Accomack and Northampton; Cities of Norfolk (part) and Virginia Beach (part)
71	Bourne, Jeffrey M. (D)	City of Richmond (part)
64	Brewer, Emily M. (R)	Counties of Isle of Wight, Prince George (part), and Surry; City of Suffolk (part)
37	Bulova, David L. (D)	County of Fairfax (part); City of Fairfax
22	Byron, Kathy J. (R)	Counties of Bedford (part), Campbell (part), and Franklin (part); City of Lynchburg (part)
6	Campbell, Jeffrey L. (R)	Counties of Carroll, Smyth (part), and Wythe
24	Campbell, Ronnie R. (R)	Counties of Amherst (part), Augusta (part), Bath, and Rockbridge; Cities of Buena Vista and Lexington
69	Carr, Betsy B. (D)	City of Richmond (part)
66	Cherry, Michael A. (R)	County of Chesterfield (part); City of Colonial Heights
79	Clark, Nadarius E. (D)	Cities of Chesapeake (part), Norfolk (part), and Portsmouth (part)
21	Convirs-Fowler, Kelly K. (D)	Cities of Chesapeake (part) and Virginia Beach (part)
91	Cordoza, A.C. (R)	County of York (part); Cities of Hampton (part) and Poquoson

**THE HOUSE OF DELEGATES  
2022 SPECIAL SESSION I**

District Number	Name	County and/or City Represented
62	Coyner, Carrie E. (R)	Counties of Chesterfield (part) and Prince George (part); City of Hopewell (part)
84	Davis, Glenn R., Jr. (R)	City of Virginia Beach (part)
67	Delaney, Karrie K. (D)	Counties of Fairfax (part) and Loudoun (part)
28	Durant, Tara A. (R)	County of Stafford (part); City of Fredericksburg (part)
60	Edmunds, James E., II (R)	Counties of Campbell (part), Charlotte, Halifax, and Prince Edward
59	Fariss, C. Matthew (R)	Counties of Albemarle (part), Appomattox, Buckingham, Campbell (part), and Nelson (part)
41	Filler-Corn, Eileen (D)	County of Fairfax (part)
55	Fowler, Hyland F., Jr. (R)	Counties of Caroline (part), Hanover (part), and Spotsylvania (part)
30	Freitas, Nicholas J. (R)	Counties of Culpeper (part), Madison, and Orange
15	Gilbert, C. Todd (R)	Counties of Page, Rockingham (part), Shenandoah, and Warren (part)
89	Glass, Jackie Hope (D)	City of Norfolk (part)
10	Gooditis, Gwendolyn W. (D)	Counties of Clarke (part), Frederick (part), and Loudoun (part)
85	Greenhalgh, Karen S. (R)	City of Virginia Beach (part)
31	Guzman, Elizabeth R. (D)	Counties of Fauquier (part) and Prince William (part)
77	Hayes, C.E., Jr. (D)	City of Chesapeake (part)
17	Head, Christopher T. (R)	Counties of Botetourt (part) and Roanoke (part); City of Roanoke (part)
40	Helmer, Daniel I. (D)	Counties of Fairfax (part) and Prince William (part)
46	Herring, Charniele L. (D)	City of Alexandria (part)
98	Hodges, M. Keith (R)	Counties of Essex, Gloucester, King and Queen, King William (part), Mathews, and Middlesex
47	Hope, Patrick A. (D)	County of Arlington (part)
57	Hudson, Sally L. (D)	County of Albemarle (part); City of Charlottesville
76	Jenkins, Clinton L. (D)	Cities of Chesapeake (part) and Suffolk (part)
35	Keam, Mark L. (D)†	County of Fairfax (part)
1	Kilgore, Terry G. (R)	Counties of Lee, Scott, and Wise (part); City of Norton
81	Knight, Barry D. (R)	Cities of Chesapeake (part) and Virginia Beach (part)



**THE HOUSE OF DELEGATES  
2022 SPECIAL SESSION I**

District Number	Name	County and/or City Represented
38	Kory, Kaye (D)	County of Fairfax (part)
44	Krizek, Paul E. (D)	County of Fairfax (part)
33	LaRock, David A. (R)	Counties of Clarke (part), Frederick (part), and Loudoun (part)
78	Leftwich, James A., Jr. (R)	City of Chesapeake (part)
49	Lopez, Alfonso H. (D)	Counties of Arlington (part) and Fairfax (part)
50	Maldonado, Michelle Lopes (D)	County of Prince William (part); City of Manassas
7	March Marie E. (R)	Counties of Floyd, Montgomery (part), and Pulaski (part)
14	Marshall, Daniel W., III (R)	Counties of Henry (part) and Pittsylvania (part); City of Danville
56	McGuire, John J., III (R)	Counties of Goochland (part), Henrico (part), Louisa, and Spotsylvania (part)
8	McNamara, Joseph P. (R)	Counties of Craig, Montgomery (part), and Roanoke (part); City of Salem
70	McQuinn, Delores L. (D)	Counties of Charles City, Chesterfield (part), and Henrico (part); City of Richmond (part)
3	Morefield, James W. (R)	Counties of Bland, Buchanan, Russell (part), and Tazewell
93	Mullin, Michael P. (D)	Counties of James City (part) and York (part); Cities of Newport News (part) and Williamsburg
2	Mundon King, Candi (D)	Counties of Prince William (part) and Stafford (part)
34	Murphy, Kathleen J. (D)	Counties of Fairfax (part) and Loudoun (part)
5	O'Quinn, Israel D. (R)	Counties of Grayson, Smyth (part), and Washington (part); Cities of Bristol and Galax
54	Orrock, Robert D., Sr. (R)	Counties of Caroline (part) and Spotsylvania (part)
36	Plum, Kenneth R. (D)	County of Fairfax (part)
95	Price, Marcia S. (D)	City of Newport News (part)
99	Ransone, Margaret B. (R)	Counties of Caroline (part), King George, Lancaster, Northumberland, Richmond, and Westmoreland
11	Rasoul, Sam (D)	City of Roanoke (part)
32	Reid, David A. (D)	County of Loudoun (part)
27	Robinson, Roxann L. (R)	County of Chesterfield (part)
13	Roem, Danica A. (D)	County of Prince William (part); City of Manassas Park

**THE HOUSE OF DELEGATES  
2022 SPECIAL SESSION I**

District Number	Name	County and/or City Represented
25	Runion, Chris (R)	Counties of Albemarle (part), Augusta (part), and Rockingham (part)
80	Scott, Don (D)	City of Portsmouth (part)
88	Scott, Phillip A. (R)	Counties of Fauquier (part), Spotsylvania (part), and Stafford (part); City of Fredericksburg (part)
51	Sewell, Briana D. (D)	County of Prince William (part)
86	Shin, Irene (D)	Counties of Fairfax (part) and Loudoun (part)
43	Sickles, Mark D. (D)	County of Fairfax (part)
53	Simon, Marcus B. (D)	County of Fairfax (part); City of Falls Church
94	Simonds, Shelly A. (D)	City of Newport News (part)
87	Subramanyam, Suhas (D)	Counties of Loudoun (part) and Prince William (part)
48	Sullivan, Richard C., Jr. (D)	Counties of Arlington (part) and Fairfax (part)
82	Tata, Anne Ferrell H. (R)	City of Virginia Beach (part)
63	Taylor, Kimberly A. (R)	Counties of Chesterfield (part) and Dinwiddie; City of Petersburg
52	Torian, Luke E. (D)	County of Prince William (part)
42	Tran, Kathy KL (D)	County of Fairfax (part)
72	VanValkenburg, Schuyler T. (D)	County of Henrico (part)
75	Wachsmann, Howard Otto, Jr. (R)	Counties of Brunswick, Greensville, Lunenburg (part), Southampton, and Sussex; Cities of Emporia and Franklin
23	Walker, Wendell S. (R)	Counties of Amherst (part) and Bedford (part); City of Lynchburg (part)
4	Wampler, William C., III (R)	Counties of Dickenson, Russell (part), Washington (part), and Wise (part)
92	Ward, Jeion A. (D)	City of Hampton (part)
65	Ware, R. Lee (R)	Counties of Chesterfield (part), Fluvanna (part), Goochland (part), and Powhatan
39	Watts, Vivian E. (D)	County of Fairfax (part)
18	Webert, Michael J. (R)	Counties of Culpeper (part), Fauquier (part), Rappahannock, and Warren (part)
29	Wiley, William D. (R)	Counties of Frederick (part) and Warren (part); City of Winchester
73	Willett, Rodney T. (D)	County of Henrico (part)
9	Williams, Wren M. (R)	Counties of Franklin (part), Henry (part), and Patrick

**THE HOUSE OF DELEGATES  
2022 SPECIAL SESSION I**

---

---

District Number	Name	County and/or City Represented
90	Williams Graves, Angelia (D)	Cities of Norfolk (part)
26	Wilt, Tony O. (R)	County of Rockingham (part); City of Harrisonburg
61	Wright, Thomas C., Jr. (R)	Counties of Amelia, Cumberland, Lunenburg (part), Mecklenburg, and Nottoway
97	Wyatt, Scott A. (R)	Counties of Hanover (part), King William (part), and New Kent

---

†Resigned September 6, 2022

**THE SENATE  
2022 SPECIAL SESSION I**

District Number	Name	County and/or City Represented
39	Barker, George L. (D)	Counties of Fairfax (part) and Prince William (part); City of Alexandria (part)
13	Bell, John J. (D)	Counties of Loudoun (part) and Prince William (part)
33	Boysko, Jennifer B. (D)	Counties of Fairfax (part) and Loudoun (part)
11	Chase, Amanda F. (R)	Counties of Amelia and Chesterfield (part); City of Colonial Heights
14	Cosgrove, John A., Jr. (R)	Counties of Isle of Wight (part) and Southampton (part); Cities of Chesapeake (part), Franklin (part), Portsmouth (part), Suffolk (part), and Virginia Beach (part)
25	Deeds, R. Creigh (D)	Counties of Albemarle (part), Alleghany, Bath, Highland, Nelson, and Rockbridge; Cities of Buena Vista, Charlottesville, Covington, and Lexington
8	DeSteph, Bill (R)	City of Virginia Beach (part)
12	Dunnivant, Siobhan S. (R)	Counties of Hanover (part) and Henrico (part)
30	Ebbin, Adam P. (D)	Counties of Arlington (part) and Fairfax (part); City of Alexandria (part)
21	Edwards, John S. (D)	Counties of Giles, Montgomery (part), and Roanoke (part); City of Roanoke
31	Favola, Barbara A. (D)	Counties of Arlington (part), Fairfax (part), and Loudoun (part)
38	Hackworth, T. Travis (R)	Counties of Bland, Buchanan, Dickenson, Montgomery (part), Pulaski, Russell, Smyth (part), Tazewell, and Wise (part); Cities of Norton and Radford
24	Hanger, Emmett W., Jr. (R)	Counties of Augusta, Culpeper (part), Greene, Madison, and Rockingham (part); Cities of Staunton and Waynesboro
10	Hashmi, Ghazala F. (D)	Counties of Chesterfield (part) and Powhatan; City of Richmond (part)
32	Howell, Janet D. (D)	Counties of Arlington (part) and Fairfax (part)
7	Kiggans, Jen A. (R)	Cities of Norfolk (part) and Virginia Beach (part)
6	Lewis, Lynwood W., Jr. (D)	Counties of Accomack, Mathews, and Northampton; Cities of Norfolk (part) and Virginia Beach (part)
2	Locke, Mamie E. (D)	County of York (part); Cities of Hampton (part), Newport News (part), and Portsmouth (part)
18	Lucas, L. Louise (D)	Counties of Brunswick (part), Greenville, Isle of Wight (part), Southampton (part), Surry (part), and Sussex; Cities of Chesapeake (part), Emporia, Franklin (part), Portsmouth (part), and Suffolk (part)
37	Marsden, David W. (D)	County of Fairfax (part)

**THE SENATE**  
**2022 SPECIAL SESSION I**

District Number	Name	County and/or City Represented
1	Mason, T. Montgomery (D)	Counties of James City (part) and York (part); Cities of Hampton (part), Newport News (part), Suffolk (part), and Williamsburg
9	McClellan, Jennifer L. (D)	Counties of Charles City, Hanover (part), and Henrico (part); City of Richmond (part)
4	McDougle, Ryan T. (R)	Counties of Caroline, Essex, Hanover (part), King George (part), Lancaster, Middlesex, Northumberland, Richmond, Spotsylvania (part), and Westmoreland (part)
29	McPike, Jeremy S. (D)	County of Prince William (part); Cities of Manassas and Manassas Park
16	Morrissey, Joseph D. (D)	Counties of Chesterfield (part), Dinwiddie (part), and Prince George (part); Cities of Hopewell, Petersburg, and Richmond (part)
23	Newman, Stephen D. (R)	Counties of Bedford (part), Botetourt, Campbell (part), Craig, and Roanoke (part); City of Lynchburg (part)
3	Norment, Thomas K., Jr. (R)	Counties of Gloucester, Isle of Wight (part), James City (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)	Counties of Page, Rappahannock, Rockingham (part), Shenandoah, and Warren; City of Harrisonburg
22	Peake, Mark J. (R)	Counties of Amherst, Appomattox, Buckingham, Cumberland, Fluvanna, Goochland, Louisa (part), and Prince Edward; City of Lynchburg (part)
34	Petersen, J. Chapman (D)	County of Fairfax (part); City of Fairfax
40	Pillion, Todd E. (R)	Counties of Grayson, Lee, Scott, Smyth (part), Washington, Wise (part), and Wythe (part); City of Bristol
17	Reeves, Bryce E. (R)	Counties of Albemarle (part), Culpeper (part), Louisa (part), Orange, and Spotsylvania (part); City of Fredericksburg
15	Ruff, Frank M., Jr. (R)	Counties of Brunswick (part), Campbell (part), Charlotte, Dinwiddie (part), Halifax (part), Lunenburg, Mecklenburg, Nottoway, Pittsylvania (part), and Prince George (part); City of Danville (part)
35	Saslaw, Richard L. (D)	County of Fairfax (part); Cities of Alexandria (part) and Falls Church
5	Spruill, Lionell, Sr. (D)	Cities of Chesapeake (part) and Norfolk (part)
20	Stanley, William M., Jr. (R)	Counties of Carroll (part), Franklin (part), Halifax (part), Henry, Patrick, and Pittsylvania (part); Cities of Danville (part), Galax, and Martinsville

**THE SENATE**  
**2022 SPECIAL SESSION I**

---

---

District Number	Name	County and/or City Represented
28	Stuart, Richard H. (R)	Counties of King George (part), Prince William (part), Spotsylvania (part), Stafford (part), and Westmoreland (part)
19	Suetterlein, David R. (R)	Counties of Bedford (part), Carroll (part), Floyd, Franklin (part), Montgomery (part), Roanoke (part), and Wythe (part); City of Salem
36	Surovell, Scott A. (D)	Counties of Fairfax (part), Prince William (part), and Stafford (part)
27	Vogel, Jill Holtzman (R)	Counties of Clarke, Culpeper (part), Fauquier, Frederick, Loudoun (part), and Stafford (part); City of Winchester

**SENATORS AND DELEGATES BY COUNTIES  
2022 SPECIAL SESSION I**

COUNTIES	SENATORS	DELEGATES
Accomack.....	Lynwood W. Lewis, Jr. (D) .....	Robert S. Bloxom, Jr. (R)
Albemarle.....	R. Creigh Deeds (D)..... Bryce E. Reeves (R)	Robert B. Bell (R) C. Matthew Fariss (R) Sally L. Hudson (D) Chris Runion (R)
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)..... Barbara A. Favola (D) Janet D. Howell (D)	Elizabeth B. Bennett-Parker (D) Patrick A. Hope (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) Kathy J. Byron (R) Wendell S. Walker (R)
Bland.....	T. Travis Hackworth (R).....	James W. Morefield (R)
Botetourt.....	Stephen D. Newman (R) .....	Terry L. Austin (R) Christopher T. Head (R)
Brunswick.....	L. Louise Lucas (D) .....	Howard Otto Wachsmann, Jr. (R)
	Frank M. Ruff, Jr. (R)	
Buchanan.....	T. Travis Hackworth (R).....	James W. Morefield (R)
Buckingham.....	Mark J. Peake (R).....	C. Matthew Fariss (R)
Campbell.....	Stephen D. Newman (R) .....	Kathy J. Byron (R) James E. Edmunds II (R) C. Matthew Fariss (R)
	Frank M. Ruff, Jr. (R)	
Caroline.....	Ryan T. McDougale (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) Mike A. Cherry (R) Carrie E. Coyner (R) Delores L. McQuinn (D) Roxann L. Robinson (R) Kimberly A. Taylor (R) R. Lee Ware (R)
	Ghazala F. Hashmi (D)	
	Joseph D. Morrissey (D)	
Clarke.....	Jill Holtzman Vogel (R).....	Gwendolyn W. Gooditis (D) David A. LaRock (R)
Craig.....	Stephen D. Newman (R) .....	Joseph P. McNamara (R)
Culpeper.....	Emmett W. Hanger, Jr. (R) .....	Nicholas J. Freitas (R) Michael J. Webert (R)
	Bryce E. Reeves (R)	
	Jill Holtzman Vogel (R)	
Cumberland.....	Mark J. Peake (R).....	Thomas C. Wright, Jr. (R)
Dickenson.....	T. Travis Hackworth (R).....	William C. Wampler III (R)

**SENATORS AND DELEGATES BY COUNTIES  
2022 SPECIAL SESSION I**

COUNTIES	SENATORS	DELEGATES
Dinwiddie.....	Joseph D. Morrissey (D) Frank M. Ruff, Jr. (R)	Kimberly A. Taylor (R)
Essex .....	Ryan T. McDougale (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) Richard L. Saslaw (D) Scott A. Surovell (D)	Elizabeth B. Bennett-Parker (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) Alfonso H. Lopez (D) Kathleen J. Murphy (D) Kenneth R. Plum (D) Irene Shin (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)	Phillip A. Scott (R) Elizabeth R. Guzman (D) Michael J. Webert (R)
Floyd .....	David R. Suetterlein (R)	Marie E. March (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) Wren M. Williams (R)
Frederick .....	Jill Holtzman Vogel (R)	Gwendolyn W. Gooditis (D) David A. LaRock (R) William D. Wiley (R)
Giles .....	John S. Edwards (D)	Jason S. Ballard (R)
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)	Howard Otto Wachsmann, Jr. (R)
Halifax.....	Frank M. Ruff, Jr. (R) William M. Stanley, Jr. (R)	James E. Edmunds II (R)
Hanover.....	Siobhan S. Dunnavant (R) Jennifer L. McClellan (D) Ryan T. McDougale (R)	Hyland F. Fowler, Jr. (R) Scott A. Wyatt (R)
Henrico.....	Siobhan S. Dunnavant (R) Jennifer L. McClellan (D)	Dawn M. Adams (D) Lamont Bagby (D) 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) Wren M. Williams (R)
Highland.....	R. Creigh Deeds (D)	G. John Avoli (R)



**SENATORS AND DELEGATES BY COUNTIES  
2022 SPECIAL SESSION I**

COUNTIES	SENATORS	DELEGATES
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. Mullin (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) Irene Shin (D) Suhas Subramanyam (D)
Louisa.....	Mark J. Peake (R)..... Bryce E. Reeves (R)	John J. McGuire III (R)
Lunenburg .....	Frank M. Ruff, Jr. (R).....	Howard Otto Wachsmann, Jr. (R) 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.....	John S. Edwards (D) ..... T. Travis Hackworth (R) David R. Suetterlein (R)	Jason S. Ballard (R) Marie E. March (R) Joseph P. McNamara (R)
Nelson .....	R. Creigh Deeds (D).....	G. John Avoli (R) C. Matthew Fariss (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)
Patrick .....	William M. Stanley, Jr. (R).....	Wren M. Williams (R)
Pittsylvania.....	Frank M. Ruff, Jr. (R)..... William M. Stanley, Jr. (R)	Leslie R. Adams (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)..... Frank M. Ruff, Jr. (R)	Emily M. Brewer (R) Carrie E. Coyner (R)
Prince William.....	George L. Barker (D)..... John J. Bell (D) Jeremy S. McPike (D) Richard H. Stuart (R) Scott A. Surovell (D)	Elizabeth R. Guzman (D) Daniel I. Helmer (D) Michelle-Ann E.L. Maldonado (D) Candi Mundon King (D) Danica A. Roem (D) Briana D. Sewell (D) Suhas Subramanyam (D) Luke E. Torian (D)

**SENATORS AND DELEGATES BY COUNTIES  
2022 SPECIAL SESSION I**

COUNTIES	SENATORS	DELEGATES
Pulaski.....	T. Travis Hackworth (R) .....	Jason S. Ballard (R) Marie E. March (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.....	T. Travis Hackworth (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 .....	T. Travis Hackworth (R) .....	Jeffrey L. Campbell (R)
	Todd E. Pillion (R)	Israel D. O'Quinn (R)
Southampton .....	John A. Cosgrove, Jr. (R).....	Howard Otto Wachsmann, Jr. (R)
	L. Louise Lucas (D)	
Spotsylvania.....	Ryan T. McDougle (R).....	Phillip A. Scott (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) .....	Tara A. Durant (R)
	Scott A. Surovell (D)	Phillip A. Scott (R)
	Jill Holtzman Vogel (R)	Candi Mundon King (D)
Surry.....	L. Louise Lucas (D) .....	Emily M. Brewer (R)
	Thomas K. Norment, Jr. (R)	
Sussex .....	L. Louise Lucas (D) .....	Howard Otto Wachsmann, Jr. (R)
Tazewell .....	T. Travis Hackworth (R) .....	James W. Morefield (R)
Warren.....	Mark D. Obenshain (R).....	C. Todd Gilbert (R) Michael J. Webert (R) William D. Wiley (R)
Washington.....	Todd E. Pillion (R).....	Israel D. O'Quinn (R) William C. Wampler III (R)
Westmoreland.....	Ryan T. McDougle (R).....	Margaret B. Ransone (R)
	Richard H. Stuart (R)	
Wise .....	T. Travis Hackworth (R) .....	Terry G. Kilgore (R)
	Todd E. Pillion (R)	William C. Wampler III (R)
Wythe .....	Todd E. Pillion (R).....	Jeffrey L. Campbell (R)
	David R. Suetterlein (R)	
York.....	Mamie E. Locke (D) .....	Amanda E. Batten (R)
	T. Montgomery Mason (D)	A.C. Cordoza (R)
	Thomas K. Norment, Jr. (R)	Michael P. Mullin (D)

†Resigned September 6, 2022

‡Elected January 10, 2023 to fill vacancy of Mark L. Keam. Sworn in January 11, 2023.

**SENATORS AND DELEGATES BY CITIES  
2022 SPECIAL SESSION I**

CITIES	SENATORS	DELEGATES
Alexandria .....	George L. Barker (D) .....	Elizabeth B. Bennett-Parker (D)
	Adam P. Ebbin (D)	Charniele L. Herring (D)
	Richard L. Saslaw (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) .....	Nadarius E. Clark (D)
	L. Louise Lucas (D)	Kelly K. Convirs-Fowler (D)
	Lionell Spruill, Sr. (D)	C.E. Hayes, Jr. (D)
		Clinton L. Jenkins (D)
		Barry D. Knight (R)
		James A. Leftwich, Jr. (R)
Colonial Heights .....	Amanda F. Chase (R) .....	Mike A. Cherry (R)
Covington .....	R. Creigh Deeds (D) .....	Terry L. Austin (R)
Danville .....	Frank M. Ruff, Jr. (R) .....	Daniel W. Marshall III (R)
	William M. Stanley, Jr. (R)	
Emporia .....	L. Louise Lucas (D) .....	Howard Otto Wachsmann, Jr. (R)
Fairfax .....	J. Chapman Petersen (D) .....	David L. Bulova (D)
Falls Church .....	Richard L. Saslaw (D) .....	Marcus D. Simon (D)
Franklin .....	John A. Cosgrove, Jr. (R) .....	Howard Otto Wachsmann, Jr. (R)
	L. Louise Lucas (D)	
Fredericksburg .....	Bryce E. Reeves (R) .....	Tara A. Durant (R)
		Phillip A. Scott (R)
Galax .....	William M. Stanley, Jr. (R) .....	Israel D. O'Quinn (R)
Hampton .....	Mamie E. Locke (D) .....	A.C. Cordoza (R)
	T. Montgomery Mason (D)	Jeion A. Ward (D)
	Thomas K. Norment, Jr. (R)	
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) .....	Kathy J. Byron (R)
	Mark J. Peake (R)	Wendell S. Walker (R)
Manassas .....	Jeremy S. McPike (D) .....	Michelle-Ann E.L. Maldonado (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) .....	Michael P. Mullin (D)
	T. Montgomery Mason (D)	Marcia S. Price (D)
		Shelly A. Simonds (D)
Norfolk .....	Jen A. Kiggans (R) .....	Timothy V. Anderson (R)
	Lynwood W. Lewis, Jr. (D)	Robert S. Bloxom, Jr. (R)
	Lionell Spruill, Sr. (D)	Nadarius E. Clark (D)
		Jackie Hope Glass (D)
		Angelia Williams Graves (D)
Norton .....	T. Travis Hackworth (R) .....	Terry G. Kilgore (R)
Petersburg .....	Joseph D. Morrissey (D) .....	Kimberly A. Taylor (R)
Poquoson .....	Thomas K. Norment, Jr. (R) .....	A.C. Cordoza (R)
Portsmouth .....	John A. Cosgrove, Jr. (R) .....	Nadarius E. Clark (D)
	Mamie E. Locke (D)	Don Scott (D)
	L. Louise Lucas (D)	
Radford .....	T. Travis Hackworth (R) .....	Jason S. Ballard (R)
Richmond .....	Ghazala F. Hashmi (D) .....	Dawn M. Adams (D)
	Jennifer L. McClellan (D)	Jeffrey M. Bourne (D)
	Joseph D. Morrissey (D)	Betsy B. Carr (D)
		Delores L. McQuinn (D)
Roanoke .....	John S. Edwards (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)

SENATORS AND DELEGATES BY CITIES  
2022 SPECIAL SESSION I

CITIES	SENATORS	DELEGATES
Suffolk.....	John A. Cosgrove, Jr. (R) ..... L. Louise Lucas (D) T. Montgomery Mason (D) Thomas K. Norment, Jr. (R)	Emily M. Brewer (R) Clinton L. Jenkins (D)
Virginia Beach.....	John A. Cosgrove, Jr. (R) ..... Bill DeSteph (R) Jen A. Kiggans (R) Lynwood W. Lewis, Jr. (D)	Timothy V. Anderson (R) Robert S. Bloxom, Jr. (R) Kelly K. Convors-Fowler (D) Glenn R. Davis, Jr. (R) Karen S. Greenhalgh (R) Barry D. Knight (R) Anne Ferrell H. Tata (R)
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)

## COUNTIES AND CITIES--LAND AREA AND POPULATION

United States Census of 2020 (As of December 21, 2021)

COUNTIES	Land Area in Square Miles	Population	COUNTIES	Land Area in Square Miles	Population
Accomack .....	449	33,413	Pittsylvania	969	60,501
Albemarle .....	720	112,395	Powhatan	260	30,333
Alleghany .....	446	15,233	Prince Edward	350	21,849
Amelia .....	355	13,265	Prince George	265	43,010
Amherst .....	474	31,307	Prince William	336	482,204
Appomattox .....	334	16,119	Pulaski	320	33,800
Arlington .....	26	238,643	Rappahannock	266	7,348
Augusta .....	967	77,487	Richmond	191	8,923
Bath .....	529	4,209	Roanoke	251	96,929
Bedford .....	760	79,462	Rockbridge	596	22,650
Bland .....	358	6,270	Rockingham	850	83,757
Botetourt .....	541	33,596	Russell	473	25,781
Brunswick .....	566	15,849	Scott	536	21,576
Buchanan .....	503	20,355	Shenandoah	508	44,186
Buckingham .....	580	16,824	Smyth	451	29,800
Campbell .....	503	55,696	Southampton	599	17,996
Caroline .....	528	30,887	Spotsylvania	401	140,032
Carroll .....	475	29,155	Stafford	269	156,927
Charles City .....	183	6,773	Surry	279	6,651
Charlotte .....	475	11,529	Sussex	490	10,829
Chesterfield .....	423	364,548	Tazewell	519	40,429
Clarke .....	176	14,783	Warren	215	40,727
Craig .....	328	4,892	Washington	561	53,935
Culpeper .....	379	52,552	Westmoreland	229	18,477
Cumberland .....	297	9,675	Wise	403	36,130
Dickenson .....	330	14,124	Wythe	462	28,290
Dinwiddie .....	504	27,947	York	105	70,045
Essex .....	257	10,599			
Fairfax .....	391	1,150,309			
Fauquier .....	648	72,972	<b>CITIES</b>		
Floyd .....	381	15,476	Alexandria	15	159,467
Fluvanna .....	287	27,249	Bristol	13	17,219
Franklin .....	690	54,477	Buena Vista	6	6,641
Frederick .....	413	91,419	Charlottesville	10	46,553
Giles .....	357	16,787	Chesapeake	338	249,422
Gloucester .....	218	38,711	Colonial Heights	8	18,170
Goochland .....	281	24,727	Covington	5	5,737
Grayson .....	442	15,333	Danville	43	42,590
Greene .....	156	20,552	Emporia	7	5,766
Greensville .....	295	11,391	Fairfax	6	24,146
Halifax .....	818	34,022	Falls Church	2	14,658
Hanover .....	469	109,979	Franklin	8	8,180
Henrico .....	234	334,389	Fredericksburg	10	27,982
Henry .....	382	50,948	Galax	8	6,720
Highland .....	415	2,232	Hampton	51	137,148
Isle of Wight .....	315	38,606	Harrisonburg	17	51,814
James City .....	142	78,254	Hopewell	10	23,033
King and Queen .....	315	6,608	Lexington	2	7,320
King George .....	180	26,723	Lynchburg	49	79,009
King William .....	273	17,810	Manassas	10	42,772
Lancaster .....	133	10,919	Manassas Park	3	17,219
Lee .....	435	22,173	Martinsville	11	13,485
Loudoun .....	515	420,959	Newport News	69	186,247
Louisa .....	496	37,596	Norfolk	53	238,005
Lunenburg .....	431	11,936	Norton	7	3,687
Madison .....	320	13,837	Petersburg	23	33,458
Mathews .....	86	8,533	Poquoson	15	12,460
Mecklenburg .....	625	30,319	Portsmouth	33	97,915
Middlesex .....	130	10,625	Radford	10	16,070
Montgomery .....	387	99,721	Richmond	60	226,610
Nelson .....	471	14,775	Roanoke	43	100,011
New Kent .....	210	22,945	Salem	14	25,346
Northampton .....	212	12,282	Staunton	20	25,750
Northumberland .....	191	11,839	Suffolk	399	94,324
Nottoway .....	314	15,642	Virginia Beach	245	459,470
Orange .....	341	36,254	Waynesboro	15	22,196
Page .....	310	23,709	Williamsburg	9	15,425
Patrick .....	483	17,608	Winchester	9	28,120

Population of Virginia, 2020 Census, 8,631,393.

COUNTIES AND CITIES--RANKED BY POPULATION

United States Census of 2020 (As of December 21, 2021)

<u>Population</u>	<u>County</u>	<u>Population</u>	<u>County</u>	<u>Population</u>	<u>County</u>
2,232	Highland	16,824	Buckingham	38,606	Isle of Wight
4,209	Bath	17,608	Patrick	38,711	Gloucester
4,892	Craig	17,810	King William	40,429	Tazewell
6,270	Bland	17,996	Southampton	40,727	Warren
6,608	King and Queen	18,477	Westmoreland	43,010	Prince George
6,651	Surry	20,355	Buchanan	44,186	Shenandoah
6,773	Charles City	20,552	Greene	50,948	Henry
7,348	Rappahannock	21,576	Scott	52,552	Culpeper
8,533	Mathews	21,849	Prince Edward	53,935	Washington
8,923	Richmond	22,173	Lee	54,477	Franklin
9,675	Cumberland	22,650	Rockbridge	55,696	Campbell
10,599	Essex	22,945	New Kent	60,501	Pittsylvania
10,625	Middlesex	23,709	Page	70,045	York
10,829	Sussex	24,727	Goochland	72,972	Fauquier
10,919	Lancaster	25,781	Russell	77,487	Augusta
11,391	Greensville	27,249	Fluvanna	78,254	James City
11,529	Charlotte	27,947	Dinwiddie	79,462	Bedford
11,839	Northumberland	26,723	King George	83,757	Rockingham
11,936	Lunenburg	28,290	Wythe	91,419	Frederick
12,282	Northampton	29,155	Carroll	96,929	Roanoke
13,265	Amelia	29,800	Smyth	99,721	Montgomery
13,837	Madison	30,319	Mecklenburg	109,979	Hanover
14,124	Dickenson	30,333	Powhatan	112,395	Albemarle
14,775	Nelson	30,887	Caroline	140,032	Spotsylvania
14,783	Clarke	31,307	Amherst	156,927	Stafford
15,233	Alleghany	33,413	Accomack	238,643	Arlington
15,333	Grayson	33,596	Botetourt	334,389	Henrico
15,476	Floyd	33,800	Pulaski	364,548	Chesterfield
15,642	Nottoway	34,022	Halifax	420,959	Loudoun
15,849	Brunswick	36,130	Wise	482,204	Prince William
16,119	Appomattox	36,254	Orange	1,150,309	Fairfax
16,787	Giles	37,596	Louisa		

<u>Population</u>	<u>Cities</u>	<u>Population</u>	<u>Cities</u>	<u>Population</u>	<u>Cities</u>
3,687	Norton	17,219	Manassas Park	46,553	Charlottesville
5,737	Covington	17,219	Bristol	51,814	Harrisonburg
5,766	Emporia	18,170	Colonial Heights	79,009	Lynchburg
6,641	Buena Vista	22,196	Waynesboro	94,324	Suffolk
6,657	Bedford*	23,033	Hopewell	97,915	Portsmouth
6,720	Galax	25,346	Salem	100,011	Roanoke
7,320	Lexington	25,750	Staunton	137,148	Hampton
8,180	Franklin	24,146	Fairfax	159,467	Alexandria
12,460	Poquoson	27,982	Fredericksburg	186,247	Newport News
13,485	Martinsville	28,120	Winchester	226,610	Richmond
14,658	Falls Church	33,458	Petersburg	238,005	Norfolk
15,425	Williamsburg	42,590	Danville	249,422	Chesapeake
16,070	Radford	42,772	Manassas	459,470	Virginia Beach

## INDEX

## Table of Titles

## CODE OF VIRGINIA

## 1950

## TITLE

1. GENERAL PROVISIONS.
2. ADMINISTRATION OF THE GOVERNMENT GENERALLY [Repealed].
- 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].
- 3.2. AGRICULTURE, ANIMAL CARE, AND FOOD.
4. ALCOHOLIC BEVERAGES AND INDUSTRIAL ALCOHOL [Repealed].
- 4.1. ALCOHOLIC BEVERAGE AND CANNABIS CONTROL.
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].
- 15.2. COUNTIES, CITIES AND TOWNS.
16. COURTS NOT OF RECORD [Repealed].
- 16.1. COURTS NOT OF RECORD.
17. COURTS OF RECORD [Repealed].
- 17.1. COURTS OF RECORD.
18. CRIMES AND OFFENSES GENERALLY [Repealed].
- 18.1. CRIMES AND OFFENSES GENERALLY [Repealed].
- 18.2. CRIMES AND OFFENSES GENERALLY.
19. CRIMINAL PROCEDURE [Repealed].
- 19.1. CRIMINAL PROCEDURE [Repealed].
- 19.2. CRIMINAL PROCEDURE.
20. DOMESTIC RELATIONS.
21. DRAINAGE, SOIL CONSERVATION, SANITATION AND PUBLIC FACILITIES DISTRICTS.
22. EDUCATION [Repealed].
- 22.1. EDUCATION.
23. EDUCATIONAL INSTITUTIONS [Repealed].
- 23.1. INSTITUTIONS OF HIGHER EDUCATION; OTHER EDUCATIONAL AND CULTURAL INSTITUTIONS.
24. ELECTIONS [Repealed].
- 24.1. ELECTIONS [Repealed].
- 24.2. ELECTIONS.
25. EMINENT DOMAIN. [Repealed].
- 25.1. EMINENT DOMAIN.
26. FIDUCIARIES GENERALLY. [Repealed].
27. FIRE PROTECTION.
28. FISH, OYSTERS AND SHELLFISH [Repealed].
- 28.1. FISH, OYSTERS, SHELLFISH AND OTHER MARINE LIFE [Repealed].
- 28.2. FISHERIES AND HABITAT OF THE TIDAL WATERS.
29. GAME, INLAND FISHERIES AND DOGS [Repealed].
- 29.1. GAME, INLAND FISHERIES AND BOATING [Repealed].
- 29.1. WILDLIFE, INLAND FISHERIES AND BOATING.
30. GENERAL ASSEMBLY.
31. GUARDIAN AND WARD. [Repealed].
32. HEALTH [Repealed].
- 32.1. HEALTH.
33. HIGHWAYS, BRIDGES AND FERRIES [Repealed].
- 33.1. HIGHWAYS, BRIDGES AND FERRIES [Repealed].
- 33.2. HIGHWAYS AND OTHER SURFACE TRANSPORTATION SYSTEMS.
34. HOMESTEAD AND OTHER EXEMPTIONS.
35. HOTELS, RESTAURANTS AND CAMPS [Repealed].
- 35.1. HOTELS, RESTAURANTS, SUMMER CAMPS, AND CAMPGROUNDS.
36. HOUSING.
37. INSANE, EPILEPTIC, FEEBLE-MINDED AND INEBRIATE PERSONS [Repealed].
- 37.1. INSTITUTIONS FOR THE MENTALLY ILL; MENTAL HEALTH GENERALLY [Repealed].
- 37.2. BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES.
38. INSURANCE [Repealed].
- 38.1. INSURANCE [Repealed].
- 38.2. INSURANCE.
39. JUSTICES OF THE PEACE [Repealed].
- 39.1. JUSTICES OF THE PEACE [Repealed].
40. LABOR AND EMPLOYMENT [Repealed].
- 40.1. LABOR AND EMPLOYMENT.
41. LAND OFFICE [Repealed].
- 41.1. LAND OFFICE.
42. LIBRARIES [Repealed].
- 42.1. LIBRARIES.
43. MECHANICS' AND CERTAIN OTHER LIENS.



44. MILITARY AND EMERGENCY LAWS.
45. MINES AND MINING [Repealed].
- 45.1. MINES AND MINING [Repealed].
- 45.2. MINES, MINERALS, AND ENERGY.
46. MOTOR VEHICLES [Repealed].
- 46.1. MOTOR VEHICLES [Repealed].
- 46.2. MOTOR VEHICLES.
47. NOTARIES AND OUT-OF-STATE COMMISSIONERS [Repealed].
- 47.1. NOTARIES AND OUT-OF-STATE COMMISSIONERS.
48. NUISANCES.
49. OATHS, AFFIRMATIONS AND BONDS.
50. PARTNERSHIPS.
51. PENSIONS AND RETIREMENT [Repealed].
- 51.01. PERSONS WITH DISABILITIES [Recodified].
- 51.1. PENSIONS, BENEFITS, AND RETIREMENT.
- 51.5. PERSONS WITH DISABILITIES.
52. POLICE (STATE).
53. PRISONS AND OTHER METHODS OF CORRECTION [Repealed].
- 53.1. PRISONS AND OTHER METHODS OF CORRECTION.
54. PROFESSIONS AND OCCUPATIONS [Repealed].
- 54.1. PROFESSIONS AND OCCUPATIONS.
55. PROPERTY AND CONVEYANCES. [Repealed]
- 55.1. PROPERTY AND CONVEYANCES.
56. PUBLIC SERVICE COMPANIES.
57. RELIGIOUS AND CHARITABLE MATTERS; CEMETERIES.
58. TAXATION [Repealed].
- 58.1. TAXATION.
59. TRADE AND COMMERCE [Repealed].
- 59.1. TRADE AND COMMERCE.
60. UNEMPLOYMENT COMPENSATION [Repealed].
- 60.1. UNEMPLOYMENT COMPENSATION [Repealed].
- 60.2. UNEMPLOYMENT COMPENSATION.
61. WAREHOUSES, COLD STORAGE AND REFRIGERATED LOCKER PLANTS [Repealed].
- 61.1. WAREHOUSES, COLD STORAGE AND REFRIGERATED LOCKER PLANTS.
62. WATERS OF THE STATE, PORTS AND HARBORS [Repealed].
- 62.1. WATERS OF THE STATE, PORTS AND HARBORS.
63. WELFARE [Repealed].
- 63.1. WELFARE (SOCIAL SERVICES) [Repealed].
- 63.2. WELFARE (SOCIAL SERVICES).
64. WILLS AND DECEDENTS' ESTATES [Repealed].
- 64.1. WILLS AND DECEDENTS' ESTATES [Repealed].
- 64.2. WILLS, TRUSTS, AND FIDUCIARIES.
65. WORKMEN'S COMPENSATION [Repealed].
- 65.1. WORKERS' COMPENSATION [Repealed].
- 65.2. WORKERS' COMPENSATION.
66. JUVENILE JUSTICE.
67. VIRGINIA ENERGY PLAN.

	BILL OR CHAP.	PAGE	
	RES. NO.	NO.	NO.
<b>ABINGDON HIGH SCHOOL</b>			
Abingdon High School boys' track and field team; commending.			
Patron—O'Quinn	HR	737	1242
Patron—Pillion	SR	661	1309
<b>ABLOWICH, MERRILU PAULIN</b>			
Ablowich, Merrilu Paulin; recording sorrow upon death. (Patron—DeSteph)	SR	680	1318
<b>ACTING FOR YOUNG PEOPLE</b>			
Acting for Young People; commemorating its 25th anniversary. (Patron—Tran)	HR	804	1275
<b>ADDICTION PROFESSIONALS, VIRGINIA ASSOCIATION OF</b>			
Addiction Professionals, Virginia Association of; commemorating its 52nd anniversary. (Patron—Bell)	SR	654	1305
<b>ADMINISTRATION OF GOVERNMENT</b>			
Budget bill; additional appropriations for 2020-2022 biennium. (Patron—Knight)	HB	29	1 1
Budget bill; appropriations for 2022-2024 biennium. (Patron—Knight)	HB	30	2 447
<b>Fort Monroe Authority; adds to powers and duties, facilities management.</b>			
Patron—Cordoza	HB	1206	16 1159
Public agencies; privacy of personal donor information, penalty. (Patron—Vogel)	SB	324	19 1161
<b>AGUSTIADY-BECKER, CATHERINE</b>			
Agustiady-Becker, Catherine; recording sorrow upon death. (Patron—Lewis)	SR	630	1293
<b>ALEXANDRIA CITY HIGH SCHOOL</b>			
Alexandria City High School Titan Robotics team; commending.			
Patron—Bennett-Parker	HR	755	1251
<b>ALEXANDRIA SOCCER ASSOCIATION</b>			
Alexandria Soccer Association; commemorating its 50th anniversary.			
Patron—Ebbin	SR	603	1279
<b>ALPHA KAPPA ALPHA SORORITY, INC., GAMMA THETA CHAPTER OF</b>			
Alpha Kappa Alpha Sorority, Inc., Gamma Theta Chapter of; commemorating its 75th anniversary. (Patron—Locke)	SR	617	1286
<b>ALPHA PHI ALPHA FRATERNITY, INC., GAMMA IOTA CHAPTER OF</b>			
Alpha Phi Alpha Fraternity, Inc., Gamma Iota Chapter of; commemorating its 75th anniversary. (Patron—Locke)	SR	625	1290
<b>ALVAREZ, CHRISTINA</b>			
Alvarez, Christina; commending. (Patron—Delaney)	HR	687	1217
<b>AMERICAN HORTICULTURAL SOCIETY</b>			
American Horticultural Society; commemorating its 100th anniversary.			
Patron—Surovell	SR	683	1319
<b>ANDREWS, ANNE ALBERSHEIM</b>			
Andrews, Anne Albersheim; recording sorrow upon death. (Patron—Watts)	HR	734	1240
<b>APPROPRIATIONS</b>			
Budget bill; additional appropriations for 2020-2022 biennium. (Patron—Knight)	HB	29	1 1
Budget bill; appropriations for 2022-2024 biennium. (Patron—Knight)	HB	30	2 447
<b>ARMED FORCES</b>			
<b>Income tax, state; military benefits subtraction, for taxable years beginning on or after January 1, 2022, but before January 1, 2023, etc., certain benefits allowed only for benefits received by an individual age 55 or older.</b>			
Patron—McGuire	HB	1128	14 1153
Patron—Reeves	SB	528	15 1156
<b>AUTHORITIES</b>			
<b>Fort Monroe Authority; adds to powers and duties, facilities management.</b>			
Patron—Cordoza	HB	1206	16 1159
<b>AVIATION INSTITUTE OF MAINTENANCE</b>			
<b>Aviation Institute of Maintenance and Prince William County Public Schools Career Technical Education; commending. (Patron—McPike)</b>			
	SR	633	1295
<b>BAIN, FRANCIS NOTT</b>			
Bain, Francis Nott; recording sorrow upon death. (Patron—Ware)	HR	605	1173
<b>BAJAJ, RADHIKA</b>			
Bajaj, Radhika; commending. (Patron—McPike)	SR	637	1297

	BILL OR CHAP.		PAGE	
	RES. NO.	NO.	NO.	NO.
<b>BEACON FOR ADULT LITERACY</b>				
<b>BEACON for Adult Literacy</b> ; commemorating its 30th anniversary.				
Patron—McPike .....	SR	611		1283
<b>BEATS BY JT</b>				
<b>Beats by JT</b> ; commending. (Patron—Glass) .....	HR	692		1219
<b>BELCHER, BUFORD BLACKBURN</b>				
<b>Belcher, Buford Blackburn</b> ; recording sorrow upon death.				
Patron—Ballard .....	HR	702		1224
Patron—Edwards .....	SR	651		1304
<b>BENDER, ALEXANDRA</b>				
<b>Bender, Alexandra</b> ; commending. (Patron—Bennett-Parker) .....	HR	754		1250
<b>BENNETT, RYLAND BRANCH</b>				
<b>Bennett, Ryland Branch</b> ; recording sorrow upon death. (Patron—Marshall) .....	HR	705		1225
<b>BENSON, EDWARD HENDERSON</b>				
<b>Benson, Edward Henderson</b> ; commemorating his life and legacy. (Patron—Reid) ...	HR	647		1196
<b>BERKSTRESSER, ROBERT JORDAN</b>				
<b>Berkstresser, Robert Jordan</b> ; recording sorrow upon death. (Patron—Deeds) .....	SR	614		1285
<b>BETANCOURT, DANIELA BONILLA</b>				
<b>Betancourt, Daniela Bonilla</b> ; recording sorrow upon death. (Patron—Kory) .....	HR	763		1255
<b>BETHLEHEM CHRISTIAN CHURCH</b>				
<b>Bethlehem Christian Church</b> ; commemorating its 175th anniversary.				
Patron—Brewer .....	HR	807		1277
<b>BLESSED SACRAMENT HUGUENOT SCHOOL</b>				
<b>Blessed Sacrament Huguenot School football team</b> ; commending. (Patron—Ware) ..	HR	603		1171
<b>BROWN, MARY VIOLA ROBERTS LAMPKIN</b>				
<b>Brown, Mary Viola Roberts Lampkin</b> ; recording sorrow upon death.				
Patron—LaRock .....	HR	719		1233
<b>BRUNETTI, CAROLINE</b>				
<b>Brunetti, Caroline</b> ; commending. (Patron—Reid) .....	HR	646		1195
<b>BRYANT, JOE, JR.</b>				
<b>Bryant, Joe, Jr.</b> ; commending. (Patron—Hayes) .....	HR	638		1191
<b>BUDGET, STATE</b>				
<b>Budget bill</b> ; additional appropriations for 2020-2022 biennium. (Patron—Knight) ...	HB	29	1	1
<b>Budget bill</b> ; appropriations for 2022-2024 biennium. (Patron—Knight) .....	HB	30	2	447
<b>BURRUSS, REBECCA GAIL</b>				
<b>Burruss, Rebecca Gail</b> ; recording sorrow upon death. (Patron—Rasoul) .....	HR	618		1180
<b>CARRSVILLE VOLUNTEER FIRE DEPARTMENT</b>				
<b>Carrsville Volunteer Fire Department</b> ; commemorating its 65th anniversary.				
Patron—Brewer .....	HR	708		1227
<b>CARTER, JERRY</b>				
<b>Carter, Jerry</b> ; commending. (Patron—Gooditis) .....	HR	657		1201
<b>CHAMBERS, WHITTAKER</b>				
<b>Chambers, Whittaker</b> ; recording sorrow upon death. (Patron—Ware) .....	HR	604		1172
<b>CHANDLER, TALESHIA L.</b>				
<b>Chandler, Taleshia L.</b> ; recording sorrow upon death. (Patron—Morrissey) .....	SR	688		1322
<b>CHAPMAN, JAMES BRINKLEY</b>				
<b>Chapman, James Brinkley</b> ; recording sorrow upon death. (Patron—Lucas) .....	SR	602		1279
<b>CHINQUAPIN WAHOOS</b>				
<b>Chinquapin Wahoos swim team</b> ; commending. (Patron—Bennett-Parker) .....	HR	801		1273
<b>CHRISTENSON, SUE</b>				
<b>Christenson, Sue</b> ; commending. (Patron—Tran) .....	HR	759		1253
<b>CHRISTIAN, HENRY L.</b>				
<b>Christian, Henry L.</b> ; recording sorrow upon death. (Patron—McQuinn) .....	HR	770		1258
<b>CHRISTOPHER NEWPORT UNIVERSITY</b>				
<b>Christopher Newport University softball team</b> ; commending.				
Patron—Simonds .....	HR	764		1256
Patron—Mason .....	SR	663		1310

	BILL OR CHAP. RES. NO.	PAGE NO.	PAGE NO.
<b>CIRCUIT COURTS</b>			
<b>Judge</b> ; nomination for election to circuit court.			
Patron—Adams, L.R. . . . .	HR 781		1263
Patron—Edwards . . . . .	SR 668		1312
<b>Judges</b> ; election in circuit court, general district court, and juvenile and domestic relations district court. (Patron—Adams, L.R.) . . . . .	HJR 6005		1170
<b>Judges</b> ; election in Supreme Court of Virginia, Court of Appeals of Virginia, circuit court, and general district court. (Patron—Adams, L.R.) . . . . .	HJR 6004		1170
<b>Judges</b> ; nominations for election to circuit court.			
Patron—Adams, L.R. . . . .	HR 809		1278
Patron—Edwards . . . . .	SR 696		1326
<b>CLARKE COUNTY</b>			
<b>Clarke County High School boys' soccer team</b> ; commending. (Patron—LaRock) . . .	HR 751		1249
<b>COALITION FOR SMARTER GROWTH</b>			
<b>Coalition for Smarter Growth</b> ; commemorating its 25th anniversary.			
Patron—Kory . . . . .	HR 711		1228
<b>COBLENZ, DEBORAH</b>			
<b>Coblentz, Deborah</b> ; commending. (Patron—Tran) . . . . .	HR 725		1236
<b>CODE OF VIRGINIA</b>			
§ 2.2-2339, amending . . . . .	HB 1206	16	1159
§ 2.2-3705.1, amending . . . . .	SB 324	19	1161
§ 2.2-3808, amending . . . . .	SB 324	19	1161
§ 22.1-138.3, adding . . . . .	HB 563	8	1144
	SB 473	9	1145
§ 22.1-140.1, adding . . . . .	HB 563	8	1144
	SB 473	9	1145
§ 22.1-147, amending . . . . .	SB 471	20	1163
§ 22.1-148, amending . . . . .	SB 471	20	1163
§ 22.1-150, amending . . . . .	SB 471	20	1163
§ 22.1-253.13:2, amending . . . . .	SB 490	21	1164
§ 32.1-325, amending . . . . .	HB 680	11	1148
§ 56-265.4:7, adding . . . . .	HB 1257	17	1160
§ 58.1-322.02, amending . . . . .	HB 1128	14	1153
	SB 528	15	1156
§ 58.1-322.03, amending . . . . .	HB 103	6	1142
§ 58.1-339.13, adding . . . . .	HB 1319	18	1160
§ 58.1-439.30, amending . . . . .	SB 47	3	1139
§ 58.1-611.1, amending . . . . .	HB 90	5	1141
	SB 451	4	1140
§ 58.1-4125, amending . . . . .	HB 563	8	1144
	SB 473	9	1145
§ 63.2-900, amending . . . . .	HB 653	10	1146
§ 63.2-905.1:1, adding . . . . .	HB 349	7	1144
<b>COLLINS, NAOMI</b>			
<b>Collins, Naomi</b> ; commending. (Patron—Kory) . . . . .	HR 793		1269
<b>COMMENDATIONS AND COMMEMORATIONS</b>			
<b>Abingdon High School boys' track and field team</b> ; commending.			
Patron—O'Quinn . . . . .	HR 737		1242
Patron—Pillion . . . . .	SR 661		1309
<b>Acting for Young People</b> ; commemorating its 25th anniversary. (Patron—Tran) . . . .	HR 804		1275
<b>Addiction Professionals, Virginia Association of</b> ; commemorating its 52nd anniversary. (Patron—Bell) . . . . .	SR 654		1305
<b>Alexandria City High School Titan Robotics team</b> ; commending.			
Patron—Bennett-Parker . . . . .	HR 755		1251
<b>Alexandria Soccer Association</b> ; commemorating its 50th anniversary.			
Patron—Ebbin . . . . .	SR 603		1279
<b>Alpha Kappa Alpha Sorority, Inc., Gamma Theta Chapter of</b> ; commemorating its 75th anniversary. (Patron—Locke) . . . . .	SR 617		1286

## COMMENDATIONS AND COMMEMORATIONS - Continued

<b>Alpha Phi Alpha Fraternity, Inc., Gamma Iota Chapter of;</b> commemorating its 75th anniversary. (Patron—Locke) . . . . .	SR	625	1290
<b>Alvarez, Christina;</b> commending. (Patron—Delaney) . . . . .	HR	687	1217
<b>American Horticultural Society;</b> commemorating its 100th anniversary. Patron—Surovell . . . . .	SR	683	1319
<b>Aviation Institute of Maintenance and Prince William County Public Schools Career Technical Education;</b> commending. (Patron—McPike) . . . . .	SR	633	1295
<b>Bajaj, Radhika;</b> commending. (Patron—McPike) . . . . .	SR	637	1297
<b>BEACON for Adult Literacy;</b> commemorating its 30th anniversary. Patron—McPike . . . . .	SR	611	1283
<b>Beats by JT;</b> commending. (Patron—Glass) . . . . .	HR	692	1219
<b>Bender, Alexandra;</b> commending. (Patron—Bennett-Parker) . . . . .	HR	754	1250
<b>Benson, Edward Henderson;</b> commemorating his life and legacy. (Patron—Reid) . . .	HR	647	1196
<b>Bethlehem Christian Church;</b> commemorating its 175th anniversary. Patron—Brewer . . . . .	HR	807	1277
<b>Blessed Sacrament Huguenot School football team;</b> commending. (Patron—Ware) . .	HR	603	1171
<b>Brunetti, Caroline;</b> commending. (Patron—Reid) . . . . .	HR	646	1195
<b>Bryant, Joe, Jr.;</b> commending. (Patron—Hayes) . . . . .	HR	638	1191
<b>Carrsville Volunteer Fire Department;</b> commemorating its 65th anniversary. Patron—Brewer . . . . .	HR	708	1227
<b>Carter, Jerry;</b> commending. (Patron—Gooditis) . . . . .	HR	657	1201
<b>Chinquapin Wahoos swim team;</b> commending. (Patron—Bennett-Parker) . . . . .	HR	801	1273
<b>Christenson, Sue;</b> commending. (Patron—Tran) . . . . .	HR	759	1253
<b>Christopher Newport University softball team;</b> commending. Patron—Simonds . . . . .	HR	764	1256
Patron—Mason . . . . .	SR	663	1310
<b>Clarke County High School boys' soccer team;</b> commending. (Patron—LaRock) . . .	HR	751	1249
<b>Coalition for Smarter Growth;</b> commemorating its 25th anniversary. Patron—Kory . . . . .	HR	711	1228
<b>Coblentz, Deborah;</b> commending. (Patron—Tran) . . . . .	HR	725	1236
<b>Collins, Naomi;</b> commending. (Patron—Kory) . . . . .	HR	793	1269
<b>Common Grounds?;</b> commending cast and crew. (Patron—Kory) . . . . .	HR	710	1228
<b>Community Counseling Center;</b> commemorating its 50th anniversary. Patron—Runion . . . . .	HR	791	1268
<b>Conner, Charlie;</b> commending. (Patron—Austin) . . . . .	HR	753	1250
<b>Conner, Gregg;</b> commending. (Patron—Ware) . . . . .	HR	607	1174
<b>Cooley, John;</b> commending. (Patron—Tran) . . . . .	HR	805	1276
<b>Cooper Middle School band;</b> commending. Patron—Murphy . . . . .	HR	634	1189
Patron—Favola . . . . .	SR	605	1281
<b>Coyle, Elizabeth;</b> commending. (Patron—Reid) . . . . .	HR	644	1194
<b>Crestwood Carver Friends of '72;</b> commending the occasion of their 50th anniversary high school reunion. (Patron—Spruill) . . . . .	SR	675	1315
<b>Cross, Harry Lee, III;</b> commending. (Patron—Brewer) . . . . .	HR	806	1276
<b>Cypress Baptist Church;</b> commemorating its 156th anniversary. (Patron—Brewer) . .	HR	627	1185
<b>Davidson, Todd C.;</b> commending. (Patron—Ward) . . . . .	HR	758	1252
<b>Del Ray Artisans;</b> commemorating its 30th anniversary. (Patron—Bennett-Parker) . .	HR	797	1271
<b>Delta Sigma Theta Sorority, Inc., Gamma Iota Chapter of;</b> commemorating its 75th anniversary. (Patron—Locke) . . . . .	SR	621	1288
<b>Eddleton, Eugene Nelson;</b> commending. (Patron—Fowler) . . . . .	HR	716	1231
<b>Emory &amp; Henry College, Intermont Equestrian;</b> commending. (Patron—O'Quinn) .	HR	736	1242
<b>Evans, Ronald;</b> commending. (Patron—McPike) . . . . .	SR	642	1299
<b>Everett, Darl Eugene, Jr.;</b> commending. (Patron—Hashmi) . . . . .	SR	627	1291
<b>Filipino Veterans Recognition and Education Project;</b> commending. Patron—Tran . . . . .	HR	668	1207
<b>Fincastle, Town of;</b> commemorating its 250th anniversary. (Patron—Austin) . . . . .	HR	798	1271
<b>Fluvanna County High School forensics team;</b> commending. (Patron—Bell) . . . . .	HR	608	1175
<b>Foreman, La'Shay;</b> commending. (Patron—Rasoul) . . . . .	HR	635	1190
<b>Frank W. Cox High School boys' soccer team;</b> commending. (Patron—DeSteph) . . .	SR	686	1321

	BILL OR CHAP. RES. NO.	PAGE NO.
<b>COMMENDATIONS AND COMMEMORATIONS - Continued</b>		
<b>Franklin Brother's Keepers</b> ; commending. (Patron—McQuinn) . . . . .	HR 683	1215
<b>Garrett, Jack</b> ; commending. (Patron—Marshall) . . . . .	HR 614	1178
<b>General Services, Department of, Division of Consolidated Laboratory Services of</b> ; commemorating its 50th anniversary. (Patron—Leftwich) . . . . .	HR 724	1235
<b>Grace, Megan</b> ; commending. (Patron—McPike) . . . . .	SR 639	1298
<b>Grandin Theatre</b> ; commemorating its 90th anniversary. (Patron—Rasoul) . . . . .	HR 619	1181
<b>Grandy, Ethel L.</b> ; commending. (Patron—Hayes) . . . . .	HR 617	1180
<b>Hahne, Robert</b> ; commending. (Patron—Murphy) . . . . .	HR 677	1212
<b>Hairston, Bernard</b> ; commending. (Patron—Hudson) . . . . .	HR 678	1212
<b>Hall, Larry</b> ; commending. (Patron—Austin) . . . . .	HR 648	1196
<b>Hampton Roads Youth Poet Laureates and Ambassadors</b> ; commending. Patron—Glass . . . . .	HR 693	1219
<b>Hanover High School softball team</b> ; commending. (Patron—Wyatt) . . . . .	HR 744	1245
<b>Harris, Alfred William</b> ; commemorating his life and legacy. (Patron—Helmer) . . . . .	HR 727	1237
<b>Harvue Farms</b> ; commending. (Patron—Gooditis) . . . . .	HR 656	1201
<b>Hirsh, Sue</b> ; commending. (Patron—Deeds) . . . . .	SR 615	1285
<b>Holsinger, Laura</b> ; commending. (Patron—Tran) . . . . .	HR 721	1234
<b>Huntsman Square Starbucks in Springfield</b> ; commending union organizers. Patron—Tran . . . . .	HR 715	1231
<b>Hutcheson, David</b> ; commending. (Patron—DeSteph) . . . . .	SR 679	1317
<b>Inova Loudoun Hospital</b> ; commending. (Patron—Gooditis) . . . . .	HR 655	1200
<b>James Madison High School girls' basketball team</b> ; commending. (Patron—Keam) . . . . .	HR 630	1187
<b>James Madison High School softball team</b> ; commending. (Patron—Keam) . . . . .	HR 774	1260
<b>Jameson, Carol</b> ; commending. (Patron—Keam) . . . . .	HR 775	1260
<b>Jesse Jones Sausage Company</b> ; commending. (Patron—Marshall) . . . . .	HR 800	1273
<b>John Marshall High School boys' basketball team</b> ; commending. Patron—Bourne . . . . .	HR 689	1218
<b>Johnson, Eunice Mae</b> ; commending. (Patron—Lucas) . . . . .	SR 657	1307
<b>Jones, Caleb</b> ; commending. (Patron—Hayes) . . . . .	HR 642	1193
<b>Jones, Debbie</b> ; commending. (Patron—Sewell) . . . . .	HR 695	1220
<b>Jones, Kensey</b> ; commending. (Patron—Kory) . . . . .	HR 712	1229
<b>Jones, Pauline Bradshaw</b> ; commending. (Patron—Spruill) . . . . .	SR 689	1322
<b>Jones, Robert</b> ; commending. (Patron—Hayes) . . . . .	HR 639	1192
<b>Kappa Alpha Psi Fraternity, Inc., Beta Chi Chapter of</b> ; commemorating its 75th anniversary. Patron—Ward . . . . .	HR 615	1179
Patron—Locke . . . . .	SR 616	1286
<b>Kappa Alpha Psi Fraternity, Inc., Woodbridge (VA) Alumni Chapter of</b> ; commending. (Patron—Mundon King) . . . . .	HR 622	1183
<b>Kern, Howard P.</b> ; commending. (Patron—Mason) . . . . .	SR 648	1302
<b>Kilmarnock Volunteer Fire Department</b> ; commemorating its 90th anniversary. Patron—Ransone . . . . .	HR 625	1184
<b>Kindness Ranch Animal Sanctuary</b> ; commending. (Patron—Stanley) . . . . .	SR 659	1308
<b>King, Kevon</b> ; commending. (Patron—Hayes) . . . . .	HR 641	1193
<b>Kitcher, Leigh Saunders</b> ; commending. (Patron—Keam) . . . . .	HR 650	1197
<b>Kiwanis Club of Winchester</b> ; commemorating its 100th anniversary. Patron—Wiley . . . . .	HR 707	1226
<b>Klena, Justine</b> ; commending. (Patron—Shin) . . . . .	HR 662	1204
<b>LaCrosse, Amy</b> ; commending. (Patron—Tran) . . . . .	HR 720	1233
<b>Lancaster, Edgar</b> ; commending. (Patron—Simon) . . . . .	HR 730	1238
<b>Lee, Hyeon Kon</b> ; commending. (Patron—Shin) . . . . .	HR 697	1221
<b>Lee, Sung</b> ; commending. (Patron—Tran) . . . . .	HR 760	1253
<b>Lee, Susie</b> ; commending. (Patron—Sewell) . . . . .	HR 694	1220
<b>Lee, Torsha</b> ; commending. (Patron—Glass) . . . . .	HR 690	1218
<b>Lerner, Sandy</b> ; commending. (Patron—Gooditis) . . . . .	HR 658	1202
<b>Lichtenberg, Vera Anna</b> ; commending. Patron—Tran . . . . .	HR 714	1230
Patron—Barker . . . . .	SR 649	1303
<b>Linden, Eli</b> ; commending. (Patron—Reid) . . . . .	HR 643	1194

BILL OR CHAP. PAGE  
RES. NO. NO. NO.

**COMMENDATIONS AND COMMEMORATIONS - Continued**

<b>Linton Hall School</b> ; commemorating its 100th anniversary. (Patron—McPike) . . . . .	SR	612	1284
<b>Lizárraga, Jaime</b> ; commending. (Patron—Tran) . . . . .	HR	803	1275
<b>Markwood, Jordan</b> ; commending. (Patron—Subramanyam) . . . . .	HR	670	1208
<b>Martin, Kristi</b> ; commending. (Patron—Rasoul) . . . . .	HR	664	1205
<b>Masjid Al-Falah</b> ; commemorating its 10th anniversary. (Patron—Mundon King) . . . . .	HR	624	1184
<b>McDowell, Claudia</b> ; commending. (Patron—Tran) . . . . .	HR	735	1241
<b>McLean Project for the Arts</b> ; commemorating its 60th anniversary. Patron—Favola . . . . .	SR	646	1301
<b>McLean Symphony Orchestra</b> ; commemorating its 50th anniversary. Patron—Murphy . . . . .	HR	633	1188
Patron—Favola . . . . .	SR	604	1280
<b>Meadowlark Botanical Gardens</b> ; commemorating its 10th anniversary. Patron—Kory . . . . .	HR	709	1227
<b>Menchville High School girls' basketball team</b> ; commending. Patron—Simonds . . . . .	HR	631	1187
Patron—Mason . . . . .	SR	647	1302
<b>Metz Middle School NASA TechRise Student Challenge team</b> ; commending. Patron—McPike . . . . .	SR	632	1294
<b>Morris, Gary</b> ; commending. (Patron—Tran) . . . . .	HR	802	1274
<b>Morris, Lynn</b> ; commending. (Patron—Gooditis) . . . . .	HR	654	1200
<b>Mount Regis Center</b> ; commemorating its 75th anniversary. (Patron—Rasoul) . . . . .	HR	665	1206
<b>Mount Zion Baptist Church of Powhatan</b> ; commemorating its 150th anniversary. Patron—Hashmi . . . . .	SR	626	1290
<b>Mt. Zion Baptist Church of Powhatan</b> ; commemorating its 150th anniversary. Patron—Ware . . . . .	HR	629	1186
<b>Must Love Cats Rescue</b> ; commending. (Patron—Roem) . . . . .	HR	765	1256
<b>Nansemond River High School boys' track and field team</b> ; commending. Patron—Jenkins . . . . .	HR	623	1183
<b>Nansemond River High School track and field team</b> ; commending. Patron—Jenkins . . . . .	HR	609	1175
<b>Nansemond-Suffolk Academy softball team</b> ; commending. (Patron—Brewer) . . . . .	HR	739	1243
<b>National Active and Retired Federal Employees Association, Dulles Chapter 1241 of the</b> ; commemorating its 50th anniversary. (Patron—Delaney) . . . . .	HR	652	1199
<b>National Capital Treatment &amp; Recovery</b> ; commemorating its 60th anniversary. Patron—Hope . . . . .	HR	613	1178
<b>Naughton, Jacqueline</b> ; commending. (Patron—Filler-Corn) . . . . .	HR	699	1222
<b>Nawab</b> ; commemorating its 25th anniversary. (Patron—Rasoul) . . . . .	HR	784	1264
<b>New Kent High School softball team</b> ; commending. (Patron—Wyatt) . . . . .	HR	743	1244
<b>Niemann, Margaret</b> ; commending. (Patron—Scott, P.A.) . . . . .	HR	785	1264
<b>Norfolk State University men's basketball team</b> ; commending. (Patron—Hayes) . . . . .	HR	637	1191
<b>Omega Psi Phi Fraternity, Inc., Gamma Epsilon Chapter of</b> ; commemorating its 75th anniversary. (Patron—Locke) . . . . .	SR	619	1287
<b>OpenNorfolk</b> ; commending. (Patron—Glass) . . . . .	HR	691	1218
<b>Orange, Town of</b> ; commemorating its 150th anniversary. (Patron—Freitas) . . . . .	HR	674	1210
<b>Park Valley Church and Mountain View Elementary School</b> ; commending. Patron—McPike . . . . .	SR	635	1296
<b>Paschal, Rene</b> ; commending. (Patron—Bennett-Parker) . . . . .	HR	756	1251
<b>Paul, Ronald A.</b> ; commending. (Patron—Filler-Corn) . . . . .	HR	698	1222
<b>Pembroke High School</b> ; commending. Patron—Ward . . . . .	HR	679	1213
Patron—Locke . . . . .	SR	643	1299
<b>Phi Beta Sigma Fraternity, Inc., Beta Gamma Chapter of</b> ; commemorating its 75th anniversary. (Patron—Locke) . . . . .	SR	622	1288
<b>Phi Beta Sigma Fraternity, Inc., Delta Zeta Chapter of</b> ; commemorating its 50th anniversary. (Patron—Mundon King) . . . . .	HR	667	1206
<b>Piedmont Virginia Community College</b> ; commemorating its 50th anniversary. Patron—Hudson . . . . .	HR	789	1266
Patron—Deeds . . . . .	SR	678	1316
<b>Policy Pathways, Inc.</b> ; commending. (Patron—McQuinn) . . . . .	HR	783	1263
<b>Pollard, Scott</b> ; commending. (Patron—Mullin) . . . . .	HR	612	1177

	BILL OR CHAP. RES. NO.	PAGE NO.	PAGE NO.
<b>COMMENDATIONS AND COMMEMORATIONS - Continued</b>			
<b>Portsmouth Pride Fest; commending. (Patron—Lucas)</b> . . . . .	SR	650	1303
<b>Prince William County Arts Council; commemorating its 30th anniversary.</b>			
Patron—McPike . . . . .	SR	610	1283
<b>Prince William County Public Schools; commending. (Patron—McPike)</b> . . . . .	SR	641	1299
<b>Prince William Public Libraries; commending. (Patron—McPike)</b> . . . . .	SR	640	1298
<b>Punke, Vera; commending. (Patron—Favola)</b> . . . . .	SR	695	1325
<b>Rader, Kathleen Bowman; commending. (Patron—Brewer)</b> . . . . .	HR	742	1244
<b>Rafferty, Brian M.; commending. (Patron—Cosgrove)</b> . . . . .	SR	628	1292
<b>Randolph-Macon College men's basketball team; commending.</b>			
Patron—Fowler . . . . .	HR	616	1179
Patron—McDougle . . . . .	SR	607	1281
Patron—Marsden . . . . .	SR	609	1282
<b>Rescue Mission of Roanoke; commemorating its 70th anniversary. (Patron—Rasoul)</b> .	HR	663	1205
<b>Richardson, Cyndi; commending. (Patron—Deeds)</b> . . . . .	SR	677	1316
<b>Richmond County Volunteer Fire Department; commemorating its 75th anniversary.</b>			
(Patron—Ransone) . . . . .	HR	795	1270
<b>Robbins, Todd; commending. (Patron—Roem)</b> . . . . .	HR	722	1234
<b>Robinson, Dorothy; commending. (Patron—Ruff)</b> . . . . .	SR	652	1304
<b>RoboLoCo; commending. (Patron—Reid)</b> . . . . .	HR	645	1195
<b>Routhouska, Michael; commending. (Patron—Bennett-Parker)</b> . . . . .	HR	728	1237
<b>Rush, Larry Nicholas; commending. (Patron—Ballard)</b> . . . . .	HR	610	1176
<b>Sarfo, Frank; commending. (Patron—Filler-Corn)</b> . . . . .	HR	778	1262
<b>Satchell, Nicole; commending. (Patron—Bagby)</b> . . . . .	HR	676	1211
<b>Schlitt, Danny; commending. (Patron—Simon)</b> . . . . .	HR	729	1238
<b>Schott, Amy; commending.</b>			
Patron—Guzman . . . . .	HR	659	1203
Patron—Surovell . . . . .	SR	684	1320
<b>Scott, Chris; commending. (Patron—Hayes)</b> . . . . .	HR	723	1235
<b>Sentara Northern Virginia Medical Center and the School of Practical Nursing at     Osborn Park High School; commending. (Patron—McPike)</b> . . . . .	SR	638	1297
<b>Shenandoah Caverns; commemorating its 100th anniversary. (Patron—Gilbert)</b> . . . .	HR	673	1210
<b>Sikh Center of Virginia; commending. (Patron—Sewell)</b> . . . . .	HR	696	1221
<b>Singlemann, Peggy; commending. (Patron—Carr)</b> . . . . .	HR	788	1266
<b>Sinking Spring Presbyterian Church; commemorating its 250th anniversary.</b>			
Patron—Pillion . . . . .	SR	681	1318
<b>Smith, J. Michael and Elizabeth; commending. (Patron—LaRock)</b> . . . . .	HR	718	1232
<b>Smith, Marion Ferebee; commending. (Patron—Lucas)</b> . . . . .	SR	658	1307
<b>Smith, Moriah; commending. (Patron—Delaney)</b> . . . . .	HR	685	1216
<b>Somerton Friends Meeting; commemorating its 350th anniversary.</b>			
Patron—Brewer . . . . .	HR	787	1265
<b>South County Middle School; commemorating its 10th anniversary.</b>			
Patron—Tran . . . . .	HR	669	1207
Patron—Surovell . . . . .	SR	682	1319
<b>St. Augustine's Episcopal Church; commemorating its 125th anniversary.</b>			
Patron—Price . . . . .	HR	786	1265
<b>STEAM Program at Hillsboro Charter Academy; commending. (Patron—LaRock)</b> .	HR	681	1214
<b>Stone, Adam; commending. (Patron—Hope)</b> . . . . .	HR	636	1190
<b>Sullivan, Eli; commending. (Patron—Deeds)</b> . . . . .	SR	674	1314
<b>Suskin, Beatrice S.; commending. (Patron—Favola)</b> . . . . .	SR	662	1309
<b>Team Mission Possible at Robinson Secondary School; commending.</b>			
Patron—Filler-Corn . . . . .	HR	700	1223
<b>The Lawson Companies; commemorating its 50th anniversary. (Patron—Knight)</b> . . . .	HR	790	1267
<b>The Links, Inc., Hampton Chapter of; commemorating its 70th anniversary.</b>			
Patron—Locke . . . . .	SR	618	1287
<b>Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and     Minnieville Elementary School; commending. (Patron—McPike)</b> . . . . .	SR	636	1296
<b>Turner, Breana; commending. (Patron—Subramanyam)</b> . . . . .	HR	738	1242
<b>Turner, Evelyn Stearns; commending. (Patron—Carr)</b> . . . . .	HR	752	1249
<b>United Way of Roanoke Valley; commending. (Patron—Rasoul)</b> . . . . .	HR	620	1181



	BILL OR CHAP. RES. NO.	PAGE NO.	PAGE NO.
<b>COMMENDATIONS AND COMMEMORATIONS - Continued</b>			
<b>University of Virginia men's tennis team; commending.</b> (Patron—Deeds)	SR 644		1300
<b>University of Virginia women's swimming and diving team; commending.</b>			
Patron—Deeds	SR 645		1300
<b>UVA Health; commending.</b> (Patron—McPike)	SR 634		1295
<b>Valley Health; commending.</b> (Patron—Gooditis)	HR 653		1199
<b>Varina High School boys' basketball team; commending.</b> (Patron—McQuinn)	HR 773		1259
<b>Vasko, Ethan; commending.</b> (Patron—Hayes)	HR 640		1192
<b>Virginia Peanut Festival; commemorating its 60th anniversary.</b>			
Patron—Wachsmann	HR 684		1215
Patron—Lucas	SR 665		1311
<b>Virginia Polytechnic Institute and State University men's basketball team; commending.</b> (Patron—Edwards)	SR 623		1289
<b>Washington and Lee High School boys' basketball team; commending.</b>			
Patron—Ransone	HR 632		1188
<b>Washington Area Bicyclist Association; commemorating its 50th anniversary.</b>			
Patron—Kory	HR 794		1269
<b>West Springfield Little League; commemorating its 50th anniversary.</b>			
Patron—Tran	HR 761		1254
<b>Westmoreland Volunteer Fire Department Auxiliary; commemorating its 50th anniversary.</b> (Patron—Ransone)	HR 671		1209
<b>Williams, David V.; commending.</b> (Patron—Williams)	HR 757		1252
<b>Willoughby, Kathleen; commending.</b> (Patron—Guzman)	HR 672		1209
<b>Wright, Kelvin L.; commending.</b> (Patron—Spruill)	SR 676		1315
<b>Yohannes, Luana; commending.</b> (Patron—Tran)	HR 713		1229
<b>Zarnegar, Zoe; commending.</b> (Patron—Delaney)	HR 686		1217
<b>Zeta Phi Beta Sorority, Inc., Rho Alpha Chapter of; commemorating its 75th anniversary.</b> (Patron—Locke)	SR 620		1288
<b>COMMISSIONS, BOARDS, AND INSTITUTIONS GENERALLY</b>			
<b>Correctional facilities, local and regional; State Board of Local and Regional Jails to review and make recommendations regarding reduction or elimination of costs and fees charged to inmates, report.</b> (Patron—Shin)	HB 1053	13	1152
<b>COMMON GROUNDS?</b>			
<b>Common Grounds?; commending cast and crew.</b> (Patron—Kory)	HR 710		1228
<b>COMMUNITY COUNSELING CENTER</b>			
<b>Community Counseling Center; commemorating its 50th anniversary.</b>			
Patron—Runion	HR 791		1268
<b>CONNER, CHARLIE</b>			
<b>Conner, Charlie; commending.</b> (Patron—Austin)	HR 753		1250
<b>CONNER, GREGG</b>			
<b>Conner, Gregg; commending.</b> (Patron—Ware)	HR 607		1174
<b>COOLEY, JOHN</b>			
<b>Cooley, John; commending.</b> (Patron—Tran)	HR 805		1276
<b>COOPER MIDDLE SCHOOL</b>			
<b>Cooper Middle School band; commending.</b>			
Patron—Murphy	HR 634		1189
Patron—Favola	SR 605		1281
<b>CORRECTIONAL ENTERPRISES</b>			
<b>Correctional facilities, local and regional; State Board of Local and Regional Jails to review and make recommendations regarding reduction or elimination of costs and fees charged to inmates, report.</b> (Patron—Shin)	HB 1053	13	1152
<b>COUNTIES, CITIES, AND TOWNS</b>			
<b>Natural gas service; no municipal corporation that provides service shall discontinue such service to any customer prior to satisfying certain requirements, etc.</b>			
Patron—Kilgore	HB 1257	17	1160
<b>COURT OF APPEALS OF VIRGINIA</b>			
<b>Judge; nomination for election to Court of Appeals of Virginia.</b>			
Patron—Adams, L.R.	HR 780		1263
Patron—Edwards	SR 667		1312

	BILL OR CHAP. RES. NO.	PAGE NO.	PAGE NO.
<b>COURT OF APPEALS OF VIRGINIA - Continued</b>			
<b>Judges;</b> election in Supreme Court of Virginia, Court of Appeals of Virginia, circuit court, and general district court. (Patron—Adams, L.R.)	HJR 6004		1170
<b>COURTS NOT OF RECORD</b>			
<b>Judge;</b> nomination for election to general district court.			
Patron—Adams, L.R.	HR 782		1263
Patron—Adams, L.R.	HR 810		1278
Patron—Edwards	SR 669		1312
Patron—Edwards	SR 697		1326
<b>Judge;</b> nomination for election to juvenile and domestic relations district court.			
Patron—Adams, L.R.	HR 811		1278
Patron—Edwards	SR 698		1326
<b>Judges;</b> election in circuit court, general district court, and juvenile and domestic relations district court. (Patron—Adams, L.R.)	HJR 6005		1170
<b>Judges;</b> election in general district court. (Patron—Adams, L.R.)	HJR 6002		1169
<b>Judges;</b> election in Supreme Court of Virginia, Court of Appeals of Virginia, circuit court, and general district court. (Patron—Adams, L.R.)	HJR 6004		1170
<b>Judges;</b> nominations for election to general district court.			
Patron—Adams, L.R.	HR 717		1232
Patron—Deeds	SR 653		1305
<b>COURTS OF RECORD</b>			
<b>Judge;</b> nomination for election to circuit court.			
Patron—Adams, L.R.	HR 781		1263
Patron—Edwards	SR 668		1312
<b>Judge;</b> nomination for election to Court of Appeals of Virginia.			
Patron—Adams, L.R.	HR 780		1263
Patron—Edwards	SR 667		1312
<b>Judges;</b> election in circuit court, general district court, and juvenile and domestic relations district court. (Patron—Adams, L.R.)	HJR 6005		1170
<b>Judges;</b> election in Supreme Court of Virginia, Court of Appeals of Virginia, circuit court, and general district court. (Patron—Adams, L.R.)	HJR 6004		1170
<b>Judges;</b> nominations for election to circuit court.			
Patron—Adams, L.R.	HR 809		1278
Patron—Edwards	SR 696		1326
<b>COYLE, ELIZABETH</b>			
<b>Coyle, Elizabeth;</b> commending. (Patron—Reid)	HR 644		1194
<b>CRESTWOOD CARVER FRIENDS OF '72</b>			
<b>Crestwood Carver Friends of '72;</b> commending the occasion of their 50th anniversary high school reunion. (Patron—Spruill)	SR 675		1315
<b>CROSS, HARRY LEE, III</b>			
<b>Cross, Harry Lee, III;</b> commending. (Patron—Brewer)	HR 806		1276
<b>CRUMP, WILLIAM FREEMAN</b>			
<b>Crump, William Freeman;</b> recording sorrow upon death.			
Patron—Ward	HR 762		1255
Patron—Locke	SR 671		1313
<b>CYPRESS BAPTIST CHURCH</b>			
<b>Cypress Baptist Church;</b> commemorating its 156th anniversary. (Patron—Brewer)	HR 627		1185
<b>DAVIDSON, TODD C.</b>			
<b>Davidson, Todd C.;</b> commending. (Patron—Ward)	HR 758		1252
<b>DEATHS</b>			
<b>Abлович, Merrilu Paulin;</b> recording sorrow upon death. (Patron—DeSteph)	SR 680		1318
<b>Agustiady-Becker, Catherine;</b> recording sorrow upon death. (Patron—Lewis)	SR 630		1293
<b>Andrews, Anne Albersheim;</b> recording sorrow upon death. (Patron—Watts)	HR 734		1240
<b>Bain, Francis Nott;</b> recording sorrow upon death. (Patron—Ware)	HR 605		1173
<b>Belcher, Buford Blackburn;</b> recording sorrow upon death.			
Patron—Ballard	HR 702		1224
Patron—Edwards	SR 651		1304
<b>Bennett, Ryland Branch;</b> recording sorrow upon death. (Patron—Marshall)	HR 705		1225
<b>Berkstresser, Robert Jordan;</b> recording sorrow upon death. (Patron—Deeds)	SR 614		1285
<b>Betancourt, Daniela Bonilla;</b> recording sorrow upon death. (Patron—Kory)	HR 763		1255

## DEATHS - Continued

<b>Brown, Mary Viola Roberts Lampkin;</b> recording sorrow upon death. Patron—LaRock .....	HR	719	1233
<b>Burruss, Rebecca Gail;</b> recording sorrow upon death. (Patron—Rasoul) .....	HR	618	1180
<b>Chambers, Whittaker;</b> recording sorrow upon death. (Patron—Ware) .....	HR	604	1172
<b>Chandler, Taleshia L.;</b> recording sorrow upon death. (Patron—Morrissey) .....	SR	688	1322
<b>Chapman, James Brinkley;</b> recording sorrow upon death. (Patron—Lucas) .....	SR	602	1279
<b>Christian, Henry L.;</b> recording sorrow upon death. (Patron—McQuinn) .....	HR	770	1258
<b>Crump, William Freeman;</b> recording sorrow upon death. Patron—Ward .....	HR	762	1255
Patron—Locke .....	SR	671	1313
<b>Eckert, Diane M.;</b> recording sorrow upon death. (Patron—Kory) .....	HR	703	1224
<b>Euripides, Kyriacos;</b> recording sorrow upon death. (Patron—Bennett-Parker) .....	HR	749	1247
<b>Flanagan, Maureen McNamara;</b> recording sorrow upon death. (Patron—DeSteph) ..	SR	655	1306
<b>Francisco, James Calvin, Jr.;</b> recording sorrow upon death. (Patron—Knight) .....	HR	649	1197
<b>Garnett, Eileen;</b> recording sorrow upon death. (Patron—Kory) .....	HR	706	1226
<b>Gillette, Matthew Ian;</b> recording sorrow upon death. (Patron—Bennett-Parker) .....	HR	747	1246
<b>Goddard, Lloyd, III;</b> recording sorrow upon death. (Patron—Cherry) .....	HR	732	1239
<b>Greene, Nelson E., Jr.;</b> recording sorrow upon death. (Patron—Bennett-Parker) .....	HR	746	1246
<b>Greene, Nina;</b> recording sorrow upon death. (Patron—Bennett-Parker) .....	HR	748	1247
<b>Greenhood, Charles M.;</b> recording sorrow upon death. (Patron—Lucas) .....	SR	691	1323
<b>Guse-Noritake, Judy;</b> recording sorrow upon death. (Patron—Bennett-Parker) .....	HR	766	1257
<b>Hailstock, Browlee, Jr.;</b> recording sorrow upon death. (Patron—Locke) .....	SR	670	1312
<b>Hazel, John Tilghman, Jr.;</b> recording sorrow upon death. (Patron—Sullivan) .....	HR	602	1171
<b>Hicks, William Edward, Sr.;</b> recording sorrow upon death. (Patron—McQuinn) .....	HR	769	1258
<b>Hill, Ezra M., Sr.;</b> recording sorrow upon death. (Patron—Ward) .....	HR	682	1214
<b>Holleman, Joseph Howard, Jr.;</b> recording sorrow upon death. (Patron—Brewer) .....	HR	740	1243
<b>Howard, Lillie Florence Speller;</b> recording sorrow upon death. (Patron—Lucas) .....	SR	664	1310
<b>Howren, Cathleen Gray;</b> recording sorrow upon death. (Patron—Brewer) .....	HR	741	1244
<b>Jenkins, William A.;</b> recording sorrow upon death. (Patron—McQuinn) .....	HR	767	1257
<b>Johnson, Joseph Pickett, Jr.;</b> recording sorrow upon death. (Patron—O'Quinn) .....	HR	799	1272
<b>Jones, Louis Ray;</b> recording sorrow upon death. (Patron—DeSteph) .....	SR	693	1324
<b>Jones, Paul Sylvester, Sr.;</b> recording sorrow upon death. (Patron—Ransone) .....	HR	626	1185
<b>Kafantaris, Nick;</b> recording sorrow upon death. (Patron—Adams, D.M.) .....	HR	733	1240
<b>King, Carol LaVerne Elliott;</b> recording sorrow upon death. (Patron—Lucas) .....	SR	690	1323
<b>Kirby, L. Wayne;</b> recording sorrow upon death. (Patron—Wyatt) .....	HR	660	1203
<b>Lalor, Robert Peter, Jr.;</b> recording sorrow upon death. (Patron—Lewis) .....	SR	685	1320
<b>Lewis, Yvonne Jeanette Baker;</b> recording sorrow upon death. Patron—Mundon King .....	HR	621	1182
<b>Marston, Keri Lynn Burkholder;</b> recording sorrow upon death. (Patron—Wyatt) .....	HR	661	1204
<b>McDaniel, Margaret Ann;</b> recording sorrow upon death. (Patron—Lucas) .....	SR	692	1324
<b>McLenaghan, Ronald Bennett;</b> recording sorrow upon death. (Patron—Wyatt) .....	HR	611	1177
<b>Meyung, Eugene Joseph;</b> recording sorrow upon death. (Patron—Deeds) .....	SR	673	1313
<b>Mineta, Norman Yoshio;</b> recording sorrow upon death. (Patron—Keam) .....	HR	776	1261
<b>Minor, Juliann E.;</b> recording sorrow upon death. (Patron—McQuinn) .....	HR	768	1258
<b>Moore, Elaine Bogue;</b> recording sorrow upon death. (Patron—Kory) .....	HR	704	1225
<b>Morgan, Nancy Beverly Hutchins;</b> recording sorrow upon death. (Patron—Hope) ...	HR	606	1174
<b>Myers, Gladys Patricia Hayes;</b> recording sorrow upon death. Patron—Mundon King .....	HR	680	1213
<b>Nelms, Robert W.;</b> recording sorrow upon death. (Patron—Brewer) .....	HR	628	1186
<b>Nelson, Kathleen Meaghan;</b> recording sorrow upon death. (Patron—DeSteph) .....	SR	656	1306
<b>Nock, Robert L.;</b> recording sorrow upon death. (Patron—Lewis) .....	SR	629	1293
<b>Nunez, Mark C.;</b> recording sorrow upon death. (Patron—DeSteph) .....	SR	694	1325
<b>Obenshain, Everette B., Jr.;</b> recording sorrow upon death. (Patron—McNamara) .....	HR	792	1268
<b>O'Flaherty, Resa Hutt;</b> recording sorrow upon death. (Patron—Bennett-Parker) .....	HR	796	1270
<b>Ogilvie, Caleb Daniel;</b> recording sorrow upon death. (Patron—Deeds) .....	SR	608	1282
<b>Pettis, Robert L., Sr.;</b> recording sorrow upon death. (Patron—McQuinn) .....	HR	771	1259
<b>Rich-Coates, Robin;</b> recording sorrow upon death. (Patron—Lewis) .....	SR	631	1294
<b>Salzberg, David Harold;</b> recording sorrow upon death. (Patron—Keam) .....	HR	651	1198

	BILL OR CHAP.	PAGE
	RES. NO.	NO.
<b>DEATHS - Continued</b>		
<b>Schoppa, Kimberly</b> ; recording sorrow upon death. (Patron—Watts) . . . . .	HR 701	1223
<b>Schreiner, Wayne Robert</b> ; recording sorrow upon death. (Patron—Kory) . . . . .	HR 745	1245
<b>Smith, Margaret Jackson</b> ; recording sorrow upon death. (Patron—Brewer) . . . . .	HR 808	1277
<b>Spreder, Richard Lee, Sr.</b> ; recording sorrow upon death.		
Patron—Knight . . . . .	HR 731	1239
Patron—DeSteph . . . . .	SR 687	1321
<b>Stokes, Pauline L.</b> ; recording sorrow upon death. (Patron—McQuinn) . . . . .	HR 772	1259
<b>Sukol, Robert Mark</b> ; recording sorrow upon death. (Patron—Marsden) . . . . .	SR 613	1284
<b>Sutton, Trey Marshall</b> ; recording sorrow upon death. (Patron—Dunnavant) . . . . .	SR 606	1281
<b>Swicegood, Jack Allyn</b> ; recording sorrow upon death.		
Patron—Williams . . . . .	HR 750	1248
Patron—Stanley . . . . .	SR 660	1308
<b>Timmons, Linda S.</b> ; recording sorrow upon death. (Patron—Freitas) . . . . .	HR 675	1211
<b>Tompkins, Joseph Buford, Jr.</b> ; recording sorrow upon death.		
Patron—Krizek . . . . .	HR 777	1262
Patron—Ebbin . . . . .	SR 624	1289
<b>Watson, Doris Brunette Harris</b> ; recording sorrow upon death. (Patron—Price) . . . . .	HR 726	1236
<b>DEL RAY ARTISANS</b>		
<b>Del Ray Artisans</b> ; commemorating its 30th anniversary. (Patron—Bennett-Parker) . . .	HR 797	1271
<b>DELTA SIGMA THETA SORORITY, INC., GAMMA IOTA CHAPTER OF</b>		
<b>Delta Sigma Theta Sorority, Inc., Gamma Iota Chapter of</b> ; commemorating its 75th anniversary. (Patron—Locke) . . . . .	SR 621	1288
<b>DISTRICT COURTS</b>		
<b>Judge</b> ; nomination for election to general district court.		
Patron—Adams, L.R. . . . .	HR 782	1263
Patron—Adams, L.R. . . . .	HR 810	1278
Patron—Edwards . . . . .	SR 669	1312
Patron—Edwards . . . . .	SR 697	1326
<b>Judges</b> ; election in circuit court, general district court, and juvenile and domestic relations district court. (Patron—Adams, L.R.) . . . . .	HJR 6005	1170
<b>Judges</b> ; election in general district court. (Patron—Adams, L.R.) . . . . .	HJR 6002	1169
<b>Judges</b> ; election in Supreme Court of Virginia, Court of Appeals of Virginia, circuit court, and general district court. (Patron—Adams, L.R.) . . . . .	HJR 6004	1170
<b>Judges</b> ; nominations for election to general district court.		
Patron—Adams, L.R. . . . .	HR 717	1232
Patron—Deeds . . . . .	SR 653	1305
<b>ECKERT, DIANE M.</b>		
<b>Eckert, Diane M.</b> ; recording sorrow upon death. (Patron—Kory) . . . . .	HR 703	1224
<b>EDDLETON, EUGENE NELSON</b>		
<b>Eddleton, Eugene Nelson</b> ; commending. (Patron—Fowler) . . . . .	HR 716	1231
<b>EDUCATION</b>		
<b>Income tax, state</b> ; deduction for eligible educator qualifying expenses, taxable years beginning on or after January 1, 2022, but before January 1, 2025.		
Patron—Greenhalgh . . . . .	HB 103	6 1142
<b>Literary Fund</b> ; open application process for loans, restriction upon making loans, etc., rate of interest. (Patron—McClellan) . . . . .	SB 471	20 1163
<b>School Construction Fund and Program</b> ; created and established, funding sources, school division maintenance reserve tool.		
Patron—O'Quinn . . . . .	HB 563	8 1144
Patron—McClellan . . . . .	SB 473	9 1145
<b>Standards of Quality</b> ; each school board shall provide at least three specialized student support positions per 1,000 students, employment of principals and assistant principals. (Patron—McClellan) . . . . .	SB 490	21 1164
<b>EMORY &amp; HENRY COLLEGE</b>		
<b>Emory &amp; Henry College, Intermont Equestrian</b> ; commending. (Patron—O'Quinn) .	HR 736	1242
<b>EURIPIDES, KYRIACOS</b>		
<b>Euripides, Kyriacos</b> ; recording sorrow upon death. (Patron—Bennett-Parker) . . . . .	HR 749	1247
<b>EVANS, RONALD</b>		
<b>Evans, Ronald</b> ; commending. (Patron—McPike) . . . . .	SR 642	1299

	BILL OR CHAP. RES. NO.	PAGE NO.	PAGE NO.
<b>EVERETT, DARL EUGENE, JR.</b>			
<b>Everett, Darl Eugene, Jr.;</b> commending. (Patron—Hashmi) . . . . .	SR	627	1291
<b>FILIPINO VETERANS RECOGNITION AND EDUCATION PROJECT</b>			
<b>Filipino Veterans Recognition and Education Project;</b> commending.			
Patron—Tran . . . . .	HR	668	1207
<b>FINCASTLE, TOWN OF</b>			
<b>Fincastle, Town of;</b> commemorating its 250th anniversary. (Patron—Austin) . . . . .	HR	798	1271
<b>FLANAGAN, MAUREEN MCNAMARA</b>			
<b>Flanagan, Maureen McNamara;</b> recording sorrow upon death. (Patron—DeSteph) . .	SR	655	1306
<b>FLUVANNA COUNTY</b>			
<b>Fluvanna County High School forensics team;</b> commending. (Patron—Bell) . . . . .	HR	608	1175
<b>FOREMAN, LA'SHAY</b>			
<b>Foreman, La'Shay;</b> commending. (Patron—Rasoul) . . . . .	HR	635	1190
<b>FORESTS AND FORESTRY</b>			
<b>Beneficial hardwood management practices;</b> creates a nonrefundable income tax credit for taxable years beginning on or after January 1, 2022, but before January 1, 2025, total amount of tax credits available for a taxable year shall not exceed \$1 million, etc. (Patron—Adams, L.R.) . . . . .	HB	1319	18 1160
<b>FOSTER CARE</b>			
<b>Foster care;</b> Department of Social Services to establish and implement a collaborative local board placement program. (Patron—Wampler) . . . . .	HB	653	10 1146
<b>Foster care;</b> local departments shall provide housing support for a period of no more than six months to any person who is 18 years of age or older but less than 21 years of age, etc. (Patron—Tata) . . . . .	HB	349	7 1144
<b>FRANCISCO, JAMES CALVIN, JR.</b>			
<b>Francisco, James Calvin, Jr.;</b> recording sorrow upon death. (Patron—Knight) . . . . .	HR	649	1197
<b>FRANK W. COX HIGH SCHOOL</b>			
<b>Frank W. Cox High School boys' soccer team;</b> commending. (Patron—DeSteph) . . .	SR	686	1321
<b>FRANKLIN BROTHER'S KEEPERS</b>			
<b>Franklin Brother's Keepers;</b> commending. (Patron—McQuinn) . . . . .	HR	683	1215
<b>FRAUD</b>			
<b>Over-the-counter medications and medical supplies;</b> Department of Medical Assistance Services to study plan for a process to allow direct purchase, the plan shall include provisions to prevent fraud and misuse of funds made available.			
Patron—Scott, P.A. . . . .	HB	1046	12 1152
<b>GARNETT, EILEEN</b>			
<b>Garnett, Eileen;</b> recording sorrow upon death. (Patron—Kory) . . . . .	HR	706	1226
<b>GARRETT, JACK</b>			
<b>Garrett, Jack;</b> commending. (Patron—Marshall) . . . . .	HR	614	1178
<b>GENERAL ASSEMBLY</b>			
<b>General Assembly;</b> limiting legislation to be considered for 2022 Special Session I and establishing a schedule for the conduct of business coming before such Special Session. (Patron—Kilgore) . . . . .	HJR	6001	1169
<b>GENERAL SERVICES, DEPARTMENT OF</b>			
<b>General Services, Department of, Division of Consolidated Laboratory Services of;</b> commemorating its 50th anniversary. (Patron—Leftwich) . . . . .	HR	724	1235
<b>GILLETTE, MATTHEW IAN</b>			
<b>Gillette, Matthew Ian;</b> recording sorrow upon death. (Patron—Bennett-Parker) . . . . .	HR	747	1246
<b>GODDARD, LLOYD, III</b>			
<b>Goddard, Lloyd, III;</b> recording sorrow upon death. (Patron—Cherry) . . . . .	HR	732	1239
<b>GRACE, MEGAN</b>			
<b>Grace, Megan;</b> commending. (Patron—McPike) . . . . .	SR	639	1298
<b>GRANDIN THEATRE</b>			
<b>Grandin Theatre;</b> commemorating its 90th anniversary. (Patron—Rasoul) . . . . .	HR	619	1181
<b>GRANDY, ETHEL L.</b>			
<b>Grandy, Ethel L.;</b> commending. (Patron—Hayes) . . . . .	HR	617	1180

	BILL OR CHAP.	PAGE
	RES. NO.	NO.
<b>GREENE, NELSON E., JR.</b>		
Greene, Nelson E., Jr.; recording sorrow upon death. (Patron—Bennett-Parker) . . . . .	HR 746	1246
<b>GREENE, NINA</b>		
Greene, Nina; recording sorrow upon death. (Patron—Bennett-Parker) . . . . .	HR 748	1247
<b>GREENHOOD, CHARLES M.</b>		
Greenhood, Charles M.; recording sorrow upon death. (Patron—Lucas) . . . . .	SR 691	1323
<b>GUSE-NORITAKE, JUDY</b>		
Guse-Noritake, Judy; recording sorrow upon death. (Patron—Bennett-Parker) . . . . .	HR 766	1257
<b>HAHNE, ROBERT</b>		
Hahne, Robert; commending. (Patron—Murphy) . . . . .	HR 677	1212
<b>HAILSTOCK, BROWLEE, JR.</b>		
Hailstock, Browlee, Jr.; recording sorrow upon death. (Patron—Locke) . . . . .	SR 670	1312
<b>HAIRSTON, BERNARD</b>		
Hairston, Bernard; commending. (Patron—Hudson) . . . . .	HR 678	1212
<b>HALL, LARRY</b>		
Hall, Larry; commending. (Patron—Austin) . . . . .	HR 648	1196
<b>HAMPTON ROADS YOUTH POET LAUREATES AND AMBASSADORS</b>		
Hampton Roads Youth Poet Laureates and Ambassadors; commending. Patron—Glass . . . . .	HR 693	1219
<b>HANOVER HIGH SCHOOL</b>		
Hanover High School softball team; commending. (Patron—Wyatt) . . . . .	HR 744	1245
<b>HARRIS, ALFRED WILLIAM</b>		
Harris, Alfred William; commemorating his life and legacy. (Patron—Helmer) . . . . .	HR 727	1237
<b>HARVUE FARMS</b>		
Harvue Farms; commending. (Patron—Gooditis) . . . . .	HR 656	1201
<b>HAZEL, JOHN TILGHMAN, JR.</b>		
Hazel, John Tilghman, Jr.; recording sorrow upon death. (Patron—Sullivan) . . . . .	HR 602	1171
<b>HEALTH</b>		
Medical assistance services; state plan, case management service, individuals with severe traumatic brain injury. (Patron—Hope) . . . . .	HB 680	11 1148
<b>HICKS, WILLIAM EDWARD, SR.</b>		
Hicks, William Edward, Sr.; recording sorrow upon death. (Patron—McQuinn) . . . . .	HR 769	1258
<b>HILL, EZRA M., SR.</b>		
Hill, Ezra M., Sr.; recording sorrow upon death. (Patron—Ward) . . . . .	HR 682	1214
<b>HIRSH, SUE</b>		
Hirsh, Sue; commending. (Patron—Deeds) . . . . .	SR 615	1285
<b>HOLLEMAN, JOSEPH HOWARD, JR.</b>		
Holleman, Joseph Howard, Jr.; recording sorrow upon death. (Patron—Brewer) . . . . .	HR 740	1243
<b>HOLSINGER, LAURA</b>		
Holsinger, Laura; commending. (Patron—Tran) . . . . .	HR 721	1234
<b>HOUSING</b>		
Income tax, state; housing opportunity tax credits for each qualified project, etc., report. (Patron—Locke) . . . . .	SB 47	3 1139
<b>HOWARD, LILLIE FLORENCE SPELLER</b>		
Howard, Lillie Florence Speller; recording sorrow upon death. (Patron—Lucas) . . . . .	SR 664	1310
<b>HOWREN, CATHLEEN GRAY</b>		
Howren, Cathleen Gray; recording sorrow upon death. (Patron—Brewer) . . . . .	HR 741	1244
<b>HUNTSMAN SQUARE STARBUCKS IN SPRINGFIELD</b>		
Huntsman Square Starbucks in Springfield; commending union organizers. Patron—Tran . . . . .	HR 715	1231
<b>HUTCHESON, DAVID</b>		
Hutcheson, David; commending. (Patron—DeSteph) . . . . .	SR 679	1317
<b>INCOME TAX</b>		
Beneficial hardwood management practices; creates a nonrefundable income tax credit for taxable years beginning on or after January 1, 2022, but before January 1, 2025, total amount of tax credits available for a taxable year shall not exceed \$1 million, etc. (Patron—Adams, L.R.) . . . . .	HB 1319	18 1160

**INCOME TAX - Continued**

<b>Income tax, state;</b> deduction for eligible educator qualifying expenses, taxable years beginning on or after January 1, 2022, but before January 1, 2025. Patron—Greenhalgh .....	HB	103	6	1142
<b>Income tax, state;</b> housing opportunity tax credits for each qualified project, etc., report. (Patron—Locke) .....	SB	47	3	1139
<b>Income tax, state;</b> military benefits subtraction, for taxable years beginning on or after January 1, 2022, but before January 1, 2023, etc., certain benefits allowed only for benefits received by an individual age 55 or older. Patron—McGuire .....	HB	1128	14	1153
Patron—Reeves .....	SB	528	15	1156
<b>Income tax, state;</b> refunds for individuals or married persons filing a joint return before November 1, 2022. (Patron—Hanger) .....	SB	579	22	1167

**INMATES**

<b>Correctional facilities, local and regional;</b> State Board of Local and Regional Jails to review and make recommendations regarding reduction or elimination of costs and fees charged to inmates, report. (Patron—Shin) .....	HB	1053	13	1152
---	----	------	----	------

**INOVA LOUDOUN HOSPITAL**

<b>Inova Loudoun Hospital;</b> commending. (Patron—Gooditis) .....	HR	655		1200
--	----	-----	--	------

**INSTITUTIONS OF HIGHER EDUCATION; OTHER EDUCATIONAL AND CULTURAL INSTITUTIONS**

<b>Christopher Newport University softball team;</b> commending. Patron—Simonds .....	HR	764		1256
Patron—Mason .....	SR	663		1310
<b>Emory &amp; Henry College, Intermont Equestrian;</b> commending. (Patron—O'Quinn) .	HR	736		1242
<b>Norfolk State University men's basketball team;</b> commending. (Patron—Hayes) ...	HR	637		1191
<b>Piedmont Virginia Community College;</b> commemorating its 50th anniversary. Patron—Hudson .....	HR	789		1266
Patron—Deeds .....	SR	678		1316
<b>Randolph-Macon College men's basketball team;</b> commending. Patron—Fowler .....	HR	616		1179
Patron—McDougle .....	SR	607		1281
Patron—Marsden .....	SR	609		1282
<b>University of Virginia men's tennis team;</b> commending. (Patron—Deeds) .....	SR	644		1300
<b>University of Virginia women's swimming and diving team;</b> commending. Patron—Deeds .....	SR	645		1300
<b>Virginia Polytechnic Institute and State University men's basketball team;</b> commending. (Patron—Edwards) .....	SR	623		1289

**JAILS AND PRISONS**

<b>Correctional facilities, local and regional;</b> State Board of Local and Regional Jails to review and make recommendations regarding reduction or elimination of costs and fees charged to inmates, report. (Patron—Shin) .....	HB	1053	13	1152
---	----	------	----	------

**JAMES MADISON HIGH SCHOOL**

<b>James Madison High School girls' basketball team;</b> commending. (Patron—Keam) .	HR	630		1187
<b>James Madison High School softball team;</b> commending. (Patron—Keam) .....	HR	774		1260

**JAMESON, CAROL**

<b>Jameson, Carol;</b> commending. (Patron—Keam) .....	HR	775		1260
--	----	-----	--	------

**JENKINS, WILLIAM A.**

<b>Jenkins, William A.;</b> recording sorrow upon death. (Patron—McQuinn) .....	HR	767		1257
---	----	-----	--	------

**JESSE JONES SAUSAGE COMPANY**

<b>Jesse Jones Sausage Company;</b> commending. (Patron—Marshall) .....	HR	800		1273
---	----	-----	--	------

**JOHN MARSHALL HIGH SCHOOL**

<b>John Marshall High School boys' basketball team;</b> commending. Patron—Bourne .....	HR	689		1218
--	----	-----	--	------

**JOHNSON, EUNICE MAE**

<b>Johnson, Eunice Mae;</b> commending. (Patron—Lucas) .....	SR	657		1307
--	----	-----	--	------

**JOHNSON, JOSEPH PICKETT, JR.**

<b>Johnson, Joseph Pickett, Jr.;</b> recording sorrow upon death. (Patron—O'Quinn) .....	HR	799		1272
--	----	-----	--	------

**JONES, CALEB**

<b>Jones, Caleb;</b> commending. (Patron—Hayes) .....	HR	642		1193
---	----	-----	--	------

	BILL OR CHAP.	PAGE
	RES. NO.	NO. NO.
<b>JONES, DEBBIE</b>		
<b>Jones, Debbie</b> ; commending. (Patron—Sewell) . . . . .	HR 695	1220
<b>JONES, KENSEY</b>		
<b>Jones, Kensey</b> ; commending. (Patron—Kory) . . . . .	HR 712	1229
<b>JONES, LOUIS RAY</b>		
<b>Jones, Louis Ray</b> ; recording sorrow upon death. (Patron—DeSteph) . . . . .	SR 693	1324
<b>JONES, PAUL SYLVESTER, SR.</b>		
<b>Jones, Paul Sylvester, Sr.</b> ; recording sorrow upon death. (Patron—Ransone) . . . . .	HR 626	1185
<b>JONES, PAULINE BRADSHAW</b>		
<b>Jones, Pauline Bradshaw</b> ; commending. (Patron—Spruill) . . . . .	SR 689	1322
<b>JONES, ROBERT</b>		
<b>Jones, Robert</b> ; commending. (Patron—Hayes) . . . . .	HR 639	1192
<b>JUDGES, JUSTICES, AND OTHER ELECTIVE OFFICERS</b>		
<b>Judge</b> ; nomination for election to circuit court.		
Patron—Adams, L.R. . . . .	HR 781	1263
Patron—Edwards . . . . .	SR 668	1312
<b>Judge</b> ; nomination for election to Court of Appeals of Virginia.		
Patron—Adams, L.R. . . . .	HR 780	1263
Patron—Edwards . . . . .	SR 667	1312
<b>Judge</b> ; nomination for election to general district court.		
Patron—Adams, L.R. . . . .	HR 782	1263
Patron—Adams, L.R. . . . .	HR 810	1278
Patron—Edwards . . . . .	SR 669	1312
Patron—Edwards . . . . .	SR 697	1326
<b>Judge</b> ; nomination for election to juvenile and domestic relations district court.		
Patron—Adams, L.R. . . . .	HR 811	1278
Patron—Edwards . . . . .	SR 698	1326
<b>Judges</b> ; election in circuit court, general district court, and juvenile and domestic relations district court. (Patron—Adams, L.R.) . . . . .		
	HJR 6005	1170
<b>Judges</b> ; election in general district court. (Patron—Adams, L.R.) . . . . .		
	HJR 6002	1169
<b>Judges</b> ; election in Supreme Court of Virginia, Court of Appeals of Virginia, circuit court, and general district court. (Patron—Adams, L.R.) . . . . .		
	HJR 6004	1170
<b>Judges</b> ; nomination for election to the Supreme Court of Virginia.		
Patron—Adams, L.R. . . . .	HR 779	1263
Patron—Edwards . . . . .	SR 666	1311
<b>Judges</b> ; nominations for election to circuit court.		
Patron—Adams, L.R. . . . .	HR 809	1278
Patron—Edwards . . . . .	SR 696	1326
<b>Judges</b> ; nominations for election to general district court.		
Patron—Adams, L.R. . . . .	HR 717	1232
Patron—Deeds . . . . .	SR 653	1305
<b>JUDICIAL NOMINATIONS</b>		
<b>Judge</b> ; nomination for election to circuit court.		
Patron—Adams, L.R. . . . .	HR 781	1263
Patron—Edwards . . . . .	SR 668	1312
<b>Judge</b> ; nomination for election to Court of Appeals of Virginia.		
Patron—Adams, L.R. . . . .	HR 780	1263
Patron—Edwards . . . . .	SR 667	1312
<b>Judge</b> ; nomination for election to general district court.		
Patron—Adams, L.R. . . . .	HR 782	1263
Patron—Adams, L.R. . . . .	HR 810	1278
Patron—Edwards . . . . .	SR 669	1312
Patron—Edwards . . . . .	SR 697	1326
<b>Judge</b> ; nomination for election to juvenile and domestic relations district court.		
Patron—Adams, L.R. . . . .	HR 811	1278
Patron—Edwards . . . . .	SR 698	1326
<b>Judges</b> ; election in circuit court, general district court, and juvenile and domestic relations district court. (Patron—Adams, L.R.) . . . . .		
	HJR 6005	1170
<b>Judges</b> ; election in general district court. (Patron—Adams, L.R.) . . . . .		
	HJR 6002	1169



**JUDICIAL NOMINATIONS - Continued**

<b>Judges;</b> election in Supreme Court of Virginia, Court of Appeals of Virginia, circuit court, and general district court. (Patron—Adams, L.R.)	HJR 6004	1170
<b>Judges;</b> nomination for election to the Supreme Court of Virginia.		
Patron—Adams, L.R.	HR 779	1263
Patron—Edwards	SR 666	1311
<b>Judges;</b> nominations for election to circuit court.		
Patron—Adams, L.R.	HR 809	1278
Patron—Edwards	SR 696	1326
<b>Judges;</b> nominations for election to general district court.		
Patron—Adams, L.R.	HR 717	1232
Patron—Deeds	SR 653	1305
<b>JUVENILE AND DOMESTIC RELATIONS DISTRICT COURTS</b>		
<b>Judge;</b> nomination for election to juvenile and domestic relations district court.		
Patron—Adams, L.R.	HR 811	1278
Patron—Edwards	SR 698	1326
<b>Judges;</b> election in circuit court, general district court, and juvenile and domestic relations district court. (Patron—Adams, L.R.)	HJR 6005	1170
<b>KAFANTARIS, NICK</b>		
<b>Kafantaris, Nick;</b> recording sorrow upon death. (Patron—Adams, D.M.)	HR 733	1240
<b>KAPPA ALPHA PSI FRATERNITY, INC., BETA CHI CHAPTER OF</b>		
<b>Kappa Alpha Psi Fraternity, Inc., Beta Chi Chapter of;</b> commemorating its 75th anniversary.		
Patron—Ward	HR 615	1179
Patron—Locke	SR 616	1286
<b>KAPPA ALPHA PSI FRATERNITY, INC., WOODBRIDGE (VA) ALUMNI CHAPTER OF</b>		
<b>Kappa Alpha Psi Fraternity, Inc., Woodbridge (VA) Alumni Chapter of;</b> commending. (Patron—Mundon King)	HR 622	1183
<b>KERN, HOWARD P.</b>		
<b>Kern, Howard P.;</b> commending. (Patron—Mason)	SR 648	1302
<b>KILMARNOCK VOLUNTEER FIRE DEPARTMENT</b>		
<b>Kilmarnock Volunteer Fire Department;</b> commemorating its 90th anniversary.		
Patron—Ransone	HR 625	1184
<b>KINDNESS RANCH ANIMAL SANCTUARY</b>		
<b>Kindness Ranch Animal Sanctuary;</b> commending. (Patron—Stanley)	SR 659	1308
<b>KING, CAROL LAVERNE ELLIOTT</b>		
<b>King, Carol LaVerne Elliott;</b> recording sorrow upon death. (Patron—Lucas)	SR 690	1323
<b>KING, KEVON</b>		
<b>King, Kevon;</b> commending. (Patron—Hayes)	HR 641	1193
<b>KIRBY, L. WAYNE</b>		
<b>Kirby, L. Wayne;</b> recording sorrow upon death. (Patron—Wyatt)	HR 660	1203
<b>KITCHER, LEIGH SAUNDERS</b>		
<b>Kitcher, Leigh Saunders;</b> commending. (Patron—Keam)	HR 650	1197
<b>KIWANIS CLUB OF WINCHESTER</b>		
<b>Kiwanis Club of Winchester;</b> commemorating its 100th anniversary.		
Patron—Wiley	HR 707	1226
<b>KLENA, JUSTINE</b>		
<b>Klena, Justine;</b> commending. (Patron—Shin)	HR 662	1204
<b>LACROSSE, AMY</b>		
<b>LaCrosse, Amy;</b> commending. (Patron—Tran)	HR 720	1233
<b>LALOR, ROBERT PETER, JR.</b>		
<b>Lalor, Robert Peter, Jr.;</b> recording sorrow upon death. (Patron—Lewis)	SR 685	1320
<b>LANCASTER, EDGAR</b>		
<b>Lancaster, Edgar;</b> commending. (Patron—Simon)	HR 730	1238
<b>LEE, HYEON KON</b>		
<b>Lee, Hyeon Kon;</b> commending. (Patron—Shin)	HR 697	1221
<b>LEE, SUNG</b>		
<b>Lee, Sung;</b> commending. (Patron—Tran)	HR 760	1253

	BILL OR CHAP. RES. NO.	PAGE NO.	
<b>LEE, SUSIE</b>			
Lee, Susie; commending. (Patron—Sewell) . . . . .	HR 694	1220	
<b>LEE, TORSHA</b>			
Lee, Torsha; commending. (Patron—Glass) . . . . .	HR 690	1218	
<b>LERNER, SANDY</b>			
Lerner, Sandy; commending. (Patron—Gooditis) . . . . .	HR 658	1202	
<b>LEWIS, YVONNE JEANETTE BAKER</b>			
Lewis, Yvonne Jeanette Baker; recording sorrow upon death. Patron—Mundon King . . . . .	HR 621	1182	
<b>LICHTENBERG, VERA ANNA</b>			
Lichtenberg, Vera Anna; commending. Patron—Tran . . . . .	HR 714	1230	
Patron—Barker . . . . .	SR 649	1303	
<b>LINDEN, ELI</b>			
Linden, Eli; commending. (Patron—Reid) . . . . .	HR 643	1194	
<b>LINTON HALL SCHOOL</b>			
Linton Hall School; commemorating its 100th anniversary. (Patron—McPike) . . . . .	SR 612	1284	
<b>LIZÁRRAGA, JAIME</b>			
Lizárraga, Jaime; commending. (Patron—Tran) . . . . .	HR 803	1275	
<b>MARKWOOD, JORDAN</b>			
Markwood, Jordan; commending. (Patron—Subramanyam) . . . . .	HR 670	1208	
<b>MARSTON, KERI LYNN BURKHOLDER</b>			
Marston, Keri Lynn Burkholder; recording sorrow upon death. (Patron—Wyatt) . . . . .	HR 661	1204	
<b>MARTIN, KRISTI</b>			
Martin, Kristi; commending. (Patron—Rasoul) . . . . .	HR 664	1205	
<b>MASJID AL-FALAH</b>			
Masjid Al-Falah; commemorating its 10th anniversary. (Patron—Mundon King) . . . . .	HR 624	1184	
<b>MCDANIEL, MARGARET ANN</b>			
McDaniel, Margaret Ann; recording sorrow upon death. (Patron—Lucas) . . . . .	SR 692	1324	
<b>MCDOWELL, CLAUDIA</b>			
McDowell, Claudia; commending. (Patron—Tran) . . . . .	HR 735	1241	
<b>MCLEAN PROJECT FOR THE ARTS</b>			
McLean Project for the Arts; commemorating its 60th anniversary. Patron—Favola . . . . .	SR 646	1301	
<b>MCLEAN SYMPHONY ORCHESTRA</b>			
McLean Symphony Orchestra; commemorating its 50th anniversary. Patron—Murphy . . . . .	HR 633	1188	
Patron—Favola . . . . .	SR 604	1280	
<b>MCLENAGHAN, RONALD BENNETT</b>			
McLenaghan, Ronald Bennett; recording sorrow upon death. (Patron—Wyatt) . . . . .	HR 611	1177	
<b>MEADOWLARK BOTANICAL GARDENS</b>			
Meadowlark Botanical Gardens; commemorating its 10th anniversary. Patron—Kory . . . . .	HR 709	1227	
<b>MEDICAL TREATMENT, CARE, AND ASSISTANCE</b>			
Medical assistance services; state plan, case management service, individuals with severe traumatic brain injury. (Patron—Hope) . . . . .	HB 680	11 1148	
Over-the-counter medications and medical supplies; Department of Medical Assistance Services to study plan for a process to allow direct purchase, the plan shall include provisions to prevent fraud and misuse of funds made available. Patron—Scott, P.A. . . . .	HB 1046	12 1152	
<b>MENCHVILLE HIGH SCHOOL</b>			
Menchville High School girls' basketball team; commending. Patron—Simonds . . . . .	HR 631	1187	
Patron—Mason . . . . .	SR 647	1302	
<b>METZ MIDDLE SCHOOL</b>			
Metz Middle School NASA TechRise Student Challenge team; commending. Patron—McPike . . . . .	SR 632	1294	

	BILL OR CHAP. RES. NO.	PAGE NO.	PAGE NO.
<b>MEYUNG, EUGENE JOSEPH</b>			
<b>Meyung, Eugene Joseph</b> ; recording sorrow upon death. (Patron—Deeds) . . . . .	SR 673		1313
<b>MINETA, NORMAN YOSHIO</b>			
<b>Mineta, Norman Yoshio</b> ; recording sorrow upon death. (Patron—Keam) . . . . .	HR 776		1261
<b>MINNIEVILLE ELEMENTARY SCHOOL</b>			
<b>Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and Minnieville Elementary School</b> ; commending. (Patron—McPike) . . . . .	SR 636		1296
<b>MINOR, JULIANN E.</b>			
<b>Minor, Juliann E.</b> ; recording sorrow upon death. (Patron—McQuinn) . . . . .	HR 768		1258
<b>MOORE, ELAINE BOGUE</b>			
<b>Moore, Elaine Bogue</b> ; recording sorrow upon death. (Patron—Kory) . . . . .	HR 704		1225
<b>MORGAN, NANCY BEVERLY HUTCHINS</b>			
<b>Morgan, Nancy Beverly Hutchins</b> ; recording sorrow upon death. (Patron—Hope) . . .	HR 606		1174
<b>MORRIS, GARY</b>			
<b>Morris, Gary</b> ; commending. (Patron—Tran) . . . . .	HR 802		1274
<b>MORRIS, LYNN</b>			
<b>Morris, Lynn</b> ; commending. (Patron—Gooditis) . . . . .	HR 654		1200
<b>MOUNT REGIS CENTER</b>			
<b>Mount Regis Center</b> ; commemorating its 75th anniversary. (Patron—Rasoul) . . . . .	HR 665		1206
<b>MOUNT ZION BAPTIST CHURCH OF POWHATAN</b>			
<b>Mount Zion Baptist Church of Powhatan</b> ; commemorating its 150th anniversary. Patron—Hashmi . . . . .	SR 626		1290
<b>MOUNTAIN VIEW ELEMENTARY SCHOOL</b>			
<b>Park Valley Church and Mountain View Elementary School</b> ; commending. Patron—McPike . . . . .	SR 635		1296
<b>MT. ZION BAPTIST CHURCH OF POWHATAN</b>			
<b>Mt. Zion Baptist Church of Powhatan</b> ; commemorating its 150th anniversary. Patron—Ware . . . . .	HR 629		1186
<b>MUST LOVE CATS RESCUE</b>			
<b>Must Love Cats Rescue</b> ; commending. (Patron—Roem) . . . . .	HR 765		1256
<b>MYERS, GLADYS PATRICIA HAYES</b>			
<b>Myers, Gladys Patricia Hayes</b> ; recording sorrow upon death. Patron—Mundon King . . . . .	HR 680		1213
<b>NANSEMOND RIVER HIGH SCHOOL</b>			
<b>Nansemond River High School boys' track and field team</b> ; commending. Patron—Jenkins . . . . .	HR 623		1183
<b>Nansemond River High School track and field team</b> ; commending. Patron—Jenkins . . . . .	HR 609		1175
<b>NANSEMOND-SUFFOLK ACADEMY</b>			
<b>Nansemond-Suffolk Academy softball team</b> ; commending. (Patron—Brewer) . . . . .	HR 739		1243
<b>NATIONAL ACTIVE AND RETIRED FEDERAL EMPLOYEES ASSOCIATION, DULLES CHAPTER 1241 OF THE</b>			
<b>National Active and Retired Federal Employees Association, Dulles Chapter 1241 of the</b> ; commemorating its 50th anniversary. (Patron—Delaney) . . . . .	HR 652		1199
<b>NATIONAL CAPITAL TREATMENT &amp; RECOVERY</b>			
<b>National Capital Treatment &amp; Recovery</b> ; commemorating its 60th anniversary. Patron—Hope . . . . .	HR 613		1178
<b>NATURAL GAS</b>			
<b>Natural gas service</b> ; no municipal corporation that provides service shall discontinue such service to any customer prior to satisfying certain requirements, etc. Patron—Kilgore . . . . .	HB 1257	17	1160
<b>NAUGHTON, JACQUELINE</b>			
<b>Naughton, Jacqueline</b> ; commending. (Patron—Filler-Corn) . . . . .	HR 699		1222
<b>NAWAB</b>			
<b>Nawab</b> ; commemorating its 25th anniversary. (Patron—Rasoul) . . . . .	HR 784		1264
<b>NELMS, ROBERT W.</b>			
<b>Nelms, Robert W.</b> ; recording sorrow upon death. (Patron—Brewer) . . . . .	HR 628		1186

	BILL OR CHAP. RES. NO.	PAGE NO.	
<b>NELSON, KATHLEEN MEAGHAN</b>			
<b>Nelson, Kathleen Meaghan</b> ; recording sorrow upon death. (Patron—DeSteph) . . . . .	SR 656		1306
<b>NEW KENT HIGH SCHOOL</b>			
<b>New Kent High School softball team</b> ; commending. (Patron—Wyatt) . . . . .	HR 743		1244
<b>NIEMANN, MARGARET</b>			
<b>Niemann, Margaret</b> ; commending. (Patron—Scott, P.A.) . . . . .	HR 785		1264
<b>NOCK, ROBERT L.</b>			
<b>Nock, Robert L.</b> ; recording sorrow upon death. (Patron—Lewis) . . . . .	SR 629		1293
<b>NORFOLK STATE UNIVERSITY</b>			
<b>Norfolk State University men's basketball team</b> ; commending. (Patron—Hayes) . . .	HR 637		1191
<b>NUNEZ, MARK C.</b>			
<b>Nunez, Mark C.</b> ; recording sorrow upon death. (Patron—DeSteph) . . . . .	SR 694		1325
<b>O'FLAHERTY, RESA HUTT</b>			
<b>O'Flaherty, Resa Hutt</b> ; recording sorrow upon death. (Patron—Bennett-Parker) . . . . .	HR 796		1270
<b>OBENSHAIN, EVERETTE B., JR.</b>			
<b>Obenshain, Everette B., Jr.</b> ; recording sorrow upon death. (Patron—McNamara) . . . .	HR 792		1268
<b>OGILVIE, CALEB DANIEL</b>			
<b>Ogilvie, Caleb Daniel</b> ; recording sorrow upon death. (Patron—Deeds) . . . . .	SR 608		1282
<b>OMEGA PSI PHI FRATERNITY, INC., GAMMA EPSILON CHAPTER OF</b>			
<b>Omega Psi Phi Fraternity, Inc., Gamma Epsilon Chapter of</b> ; commemorating its 75th anniversary. (Patron—Locke) . . . . .	SR 619		1287
<b>OPENNORFOLK</b>			
<b>OpenNorfolk</b> ; commending. (Patron—Glass) . . . . .	HR 691		1218
<b>ORANGE, TOWN OF</b>			
<b>Orange, Town of</b> ; commemorating its 150th anniversary. (Patron—Freitas) . . . . .	HR 674		1210
<b>OSBOURN PARK HIGH SCHOOL</b>			
<b>Sentara Northern Virginia Medical Center and the School of Practical Nursing at     Osborn Park High School</b> ; commending. (Patron—McPike) . . . . .	SR 638		1297
<b>PARK VALLEY CHURCH</b>			
<b>Park Valley Church and Mountain View Elementary School</b> ; commending. Patron—McPike . . . . .	SR 635		1296
<b>PASCHAL, RENE</b>			
<b>Paschal, Rene</b> ; commending. (Patron—Bennett-Parker) . . . . .	HR 756		1251
<b>PAUL, RONALD A.</b>			
<b>Paul, Ronald A.</b> ; commending. (Patron—Filler-Corn) . . . . .	HR 698		1222
<b>PEMBROKE HIGH SCHOOL</b>			
<b>Pembroke High School</b> ; commending. Patron—Ward . . . . .	HR 679		1213
Patron—Locke . . . . .	SR 643		1299
<b>PETTIS, ROBERT L., SR.</b>			
<b>Pettis, Robert L., Sr.</b> ; recording sorrow upon death. (Patron—McQuinn) . . . . .	HR 771		1259
<b>PHI BETA SIGMA FRATERNITY, INC., BETA GAMMA CHAPTER OF</b>			
<b>Phi Beta Sigma Fraternity, Inc., Beta Gamma Chapter of</b> ; commemorating its 75th anniversary. (Patron—Locke) . . . . .	SR 622		1288
<b>PHI BETA SIGMA FRATERNITY, INC., DELTA ZETA CHAPTER OF</b>			
<b>Phi Beta Sigma Fraternity, Inc., Delta Zeta Chapter of</b> ; commemorating its 50th anniversary. (Patron—Mundon King) . . . . .	HR 667		1206
<b>PIEDMONT VIRGINIA COMMUNITY COLLEGE</b>			
<b>Piedmont Virginia Community College</b> ; commemorating its 50th anniversary. Patron—Hudson . . . . .	HR 789		1266
Patron—Deeds . . . . .	SR 678		1316
<b>POLICY PATHWAYS, INC.</b>			
<b>Policy Pathways, Inc.</b> ; commending. (Patron—McQuinn) . . . . .	HR 783		1263
<b>POLLARD, SCOTT</b>			
<b>Pollard, Scott</b> ; commending. (Patron—Mullin) . . . . .	HR 612		1177
<b>PORTSMOUTH PRIDE FEST</b>			
<b>Portsmouth Pride Fest</b> ; commending. (Patron—Lucas) . . . . .	SR 650		1303

**PRINCE WILLIAM COUNTY****Aviation Institute of Maintenance and Prince William County Public Schools**

**Career Technical Education**; commending. (Patron—McPike) . . . . . SR 633 1295

**Prince William County Arts Council**; commemorating its 30th anniversary.

Patron—McPike . . . . . SR 610 1283

**Prince William County Public Schools**; commending. (Patron—McPike) . . . . . SR 641 1299

**Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and**

**Minnieville Elementary School**; commending. (Patron—McPike) . . . . . SR 636 1296

**PRINCE WILLIAM PUBLIC LIBRARIES**

**Prince William Public Libraries**; commending. (Patron—McPike) . . . . . SR 640 1298

**PRISONS AND OTHER METHODS OF CORRECTION**

**Correctional facilities, local and regional**; State Board of Local and Regional Jails to review and make recommendations regarding reduction or elimination of costs and fees charged to inmates, report. (Patron—Shin) . . . . . HB 1053 13 1152

**PUBLIC SERVICE COMPANIES**

**Natural gas service**; no municipal corporation that provides service shall discontinue such service to any customer prior to satisfying certain requirements, etc.

Patron—Kilgore . . . . . HB 1257 17 1160

**PUNKE, VERA**

**Punke, Vera**; commending. (Patron—Favola) . . . . . SR 695 1325

**RADER, KATHLEEN BOWMAN**

**Rader, Kathleen Bowman**; commending. (Patron—Brewer) . . . . . HR 742 1244

**RAFFERTY, BRIAN M.**

**Rafferty, Brian M.**; commending. (Patron—Cosgrove) . . . . . SR 628 1292

**RANDOLPH-MACON COLLEGE**

**Randolph-Macon College men's basketball team**; commending.

Patron—Fowler . . . . . HR 616 1179

Patron—McDougle . . . . . SR 607 1281

Patron—Marsden . . . . . SR 609 1282

**RESCUE MISSION OF ROANOKE**

**Rescue Mission of Roanoke**; commemorating its 70th anniversary. (Patron—Rasoul) . . . . . HR 663 1205

**RETAIL SALES AND USE TAX**

**Retail Sales and Use Tax**; exemption for food purchased for human consumption and essential personal hygiene products, etc.

Patron—McNamara . . . . . HB 90 5 1141

Patron—Boysko . . . . . SB 451 4 1140

**RICHARDSON, CYNDI**

**Richardson, Cyndi**; commending. (Patron—Deeds) . . . . . SR 677 1316

**RICH-COATES, ROBIN**

**Rich-Coates, Robin**; recording sorrow upon death. (Patron—Lewis) . . . . . SR 631 1294

**RICHMOND COUNTY**

**Richmond County Volunteer Fire Department**; commemorating its 75th anniversary.

(Patron—Ransone) . . . . . HR 795 1270

**ROBBINS, TODD**

**Robbins, Todd**; commending. (Patron—Roem) . . . . . HR 722 1234

**ROBINSON, DOROTHY**

**Robinson, Dorothy**; commending. (Patron—Ruff) . . . . . SR 652 1304

**ROBOLOCO**

**RoboLoCo**; commending. (Patron—Reid) . . . . . HR 645 1195

**ROUTHOUSKA, MICHAEL**

**Routhouska, Michael**; commending. (Patron—Bennett-Parker) . . . . . HR 728 1237

**RUSH, LARRY NICHOLAS**

**Rush, Larry Nicholas**; commending. (Patron—Ballard) . . . . . HR 610 1176

**SALES AND USE TAX**

**Retail Sales and Use Tax**; exemption for food purchased for human consumption and essential personal hygiene products, etc.

Patron—McNamara . . . . . HB 90 5 1141

Patron—Boysko . . . . . SB 451 4 1140

	BILL OR CHAP.	PAGE
	RES. NO.	NO. NO.
<b>SALZBERG, DAVID HAROLD</b>		
Salzberg, David Harold; recording sorrow upon death. (Patron—Keam) . . . . .	HR 651	1198
<b>SARFO, FRANK</b>		
Sarfo, Frank; commending. (Patron—Filler-Corn) . . . . .	HR 778	1262
<b>SATCHELL, NICOLE</b>		
Satchell, Nicole; commending. (Patron—Bagby) . . . . .	HR 676	1211
<b>SCHLITT, DANNY</b>		
Schlitt, Danny; commending. (Patron—Simon) . . . . .	HR 729	1238
<b>SCHOOL BOARDS</b>		
Standards of Quality; each school board shall provide at least three specialized student support positions per 1,000 students, employment of principals and assistant principals. (Patron—McClellan) . . . . .	SB 490	21 1164
<b>SCHOPPA, KIMBERLY</b>		
Schoppa, Kimberly; recording sorrow upon death. (Patron—Watts) . . . . .	HR 701	1223
<b>SCHOTT, AMY</b>		
Schott, Amy; commending.		
Patron—Guzman . . . . .	HR 659	1203
Patron—Surovell . . . . .	SR 684	1320
<b>SCHREINER, WAYNE ROBERT</b>		
Schreiner, Wayne Robert; recording sorrow upon death. (Patron—Kory) . . . . .	HR 745	1245
<b>SCOTT, CHRIS</b>		
Scott, Chris; commending. (Patron—Hayes) . . . . .	HR 723	1235
<b>SENATE OF VIRGINIA</b>		
Senate; 2022 Special Session I operating resolution. (Patron—Locke) . . . . .	SR 601	1278
<b>SENTARA NORTHERN VIRGINIA MEDICAL CENTER</b>		
Sentara Northern Virginia Medical Center and the School of Practical Nursing at Osbourn Park High School; commending. (Patron—McPike) . . . . .	SR 638	1297
<b>SHENANDOAH CAVERNS</b>		
Shenandoah Caverns; commemorating its 100th anniversary. (Patron—Gilbert) . . . . .	HR 673	1210
<b>SIKH CENTER OF VIRGINIA</b>		
Sikh Center of Virginia; commending. (Patron—Sewell) . . . . .	HR 696	1221
<b>SINGLEMANN, PEGGY</b>		
Singlemann, Peggy; commending. (Patron—Carr) . . . . .	HR 788	1266
<b>SINKING SPRING PRESBYTERIAN CHURCH</b>		
Sinking Spring Presbyterian Church; commemorating its 250th anniversary.		
Patron—Pillion . . . . .	SR 681	1318
<b>SMITH, ELIZABETH</b>		
Smith, J. Michael and Elizabeth; commending. (Patron—LaRock) . . . . .	HR 718	1232
<b>SMITH, J. MICHAEL</b>		
Smith, J. Michael and Elizabeth; commending. (Patron—LaRock) . . . . .	HR 718	1232
<b>SMITH, MARGARET JACKSON</b>		
Smith, Margaret Jackson; recording sorrow upon death. (Patron—Brewer) . . . . .	HR 808	1277
<b>SMITH, MARION FEREBEE</b>		
Smith, Marion Ferebee; commending. (Patron—Lucas) . . . . .	SR 658	1307
<b>SMITH, MORIAH</b>		
Smith, Moriah; commending. (Patron—Delaney) . . . . .	HR 685	1216
<b>SOCIAL SERVICES, BOARD OF OR DEPARTMENT OF</b>		
Foster care; Department of Social Services to establish and implement a collaborative local board placement program. (Patron—Wampler) . . . . .	HB 653	10 1146
<b>SOMERTON FRIENDS MEETING</b>		
Somerton Friends Meeting; commemorating its 350th anniversary.		
Patron—Brewer . . . . .	HR 787	1265
<b>SOUTH COUNTY MIDDLE SCHOOL</b>		
South County Middle School; commemorating its 10th anniversary.		
Patron—Tran . . . . .	HR 669	1207
Patron—Surovell . . . . .	SR 682	1319

BILL OR CHAP. PAGE  
RES. NO. NO. NO.

**SPREDER, RICHARD LEE, SR.****Spreader, Richard Lee, Sr.;** recording sorrow upon death.

Patron—Knight .....	HR	731		1239
Patron—DeSteph .....	SR	687		1321

**ST. AUGUSTINE'S EPISCOPAL CHURCH****St. Augustine's Episcopal Church;** commemorating its 125th anniversary.

Patron—Price .....	HR	786		1265
--------------------	----	-----	--	------

**STANDARDS OF QUALITY****Standards of Quality;** each school board shall provide at least three specialized student support positions per 1,000 students, employment of principals and assistant principals. (Patron—McClellan) .....

SB	490	21	1164
----	-----	----	------

**STEAM PROGRAM AT HILLSBORO CHARTER ACADEMY****STEAM Program at Hillsboro Charter Academy;** commending. (Patron—LaRock) .

HR	681		1214
----	-----	--	------

**STOKES, PAULINE L.****Stokes, Pauline L.;** recording sorrow upon death. (Patron—McQuinn) .....

HR	772		1259
----	-----	--	------

**STONE, ADAM****Stone, Adam;** commending. (Patron—Hope) .....

HR	636		1190
----	-----	--	------

**STUDENTS****Standards of Quality;** each school board shall provide at least three specialized student support positions per 1,000 students, employment of principals and assistant principals. (Patron—McClellan) .....

SB	490	21	1164
----	-----	----	------

**STUDY COMMISSIONS, COMMITTEES, AND REPORTS****Correctional facilities, local and regional;** State Board of Local and Regional Jails to review and make recommendations regarding reduction or elimination of costs and fees charged to inmates, report. (Patron—Shin) .....

HB	1053	13	1152
----	------	----	------

**Income tax, state;** housing opportunity tax credits for each qualified project, etc., report. (Patron—Locke) .....

SB	47	3	1139
----	----	---	------

**Over-the-counter medications and medical supplies;** Department of Medical Assistance Services to study plan for a process to allow direct purchase, the plan shall include provisions to prevent fraud and misuse of funds made available.

Patron—Scott, P.A. ....	HB	1046	12	1152
-------------------------	----	------	----	------

**SUKOL, ROBERT MARK****Sukol, Robert Mark;** recording sorrow upon death. (Patron—Marsden) .....

SR	613		1284
----	-----	--	------

**SULLIVAN, ELI****Sullivan, Eli;** commending. (Patron—Deeds) .....

SR	674		1314
----	-----	--	------

**SUPREME COURT OF VIRGINIA****Judges;** election in Supreme Court of Virginia, Court of Appeals of Virginia, circuit court, and general district court. (Patron—Adams, L.R.) .....

HJR	6004		1170
-----	------	--	------

**Judges;** nomination for election to the Supreme Court of Virginia.

Patron—Adams, L.R. ....	HR	779		1263
-------------------------	----	-----	--	------

Patron—Edwards .....	SR	666		1311
----------------------	----	-----	--	------

**SUSKIN, BEATRICE S.****Suskin, Beatrice S.;** commending. (Patron—Favola) .....

SR	662		1309
----	-----	--	------

**SUTTON, TREY MARSHALL****Sutton, Trey Marshall;** recording sorrow upon death. (Patron—Dunnavant) .....

SR	606		1281
----	-----	--	------

**SWICEGOOD, JACK ALLYN****Swicegood, Jack Allyn;** recording sorrow upon death.

Patron—Williams .....	HR	750		1248
-----------------------	----	-----	--	------

Patron—Stanley .....	SR	660		1308
----------------------	----	-----	--	------

**TAXATION****Beneficial hardwood management practices;** creates a nonrefundable income tax credit for taxable years beginning on or after January 1, 2022, but before January 1, 2025, total amount of tax credits available for a taxable year shall not exceed \$1 million, etc. (Patron—Adams, L.R.) .....

HB	1319	18	1160
----	------	----	------

**Income tax, state;** deduction for eligible educator qualifying expenses, taxable years beginning on or after January 1, 2022, but before January 1, 2025.

Patron—Greenhalgh .....	HB	103	6	1142
-------------------------	----	-----	---	------

**Income tax, state;** housing opportunity tax credits for each qualified project, etc., report. (Patron—Locke) .....

SB	47	3	1139
----	----	---	------

BILL OR CHAP. PAGE  
RES. NO. NO. NO.

**TAXATION - Continued**

**Income tax, state;** military benefits subtraction, for taxable years beginning on or after January 1, 2022, but before January 1, 2023, etc., certain benefits allowed only for benefits received by an individual age 55 or older.

Patron—McGuire .....	HB	1128	14	1153
Patron—Reeves .....	SB	528	15	1156

**Income tax, state;** refunds for individuals or married persons filing a joint return before November 1, 2022. (Patron—Hanger) .....

SB	579	22	1167
----	-----	----	------

**Retail Sales and Use Tax;** exemption for food purchased for human consumption and essential personal hygiene products, etc.

Patron—McNamara .....	HB	90	5	1141
Patron—Boysko .....	SB	451	4	1140

**School Construction Fund and Program;** created and established, funding sources, school division maintenance reserve tool.

Patron—O’Quinn .....	HB	563	8	1144
Patron—McClellan .....	SB	473	9	1145

**TEAM MISSION POSSIBLE AT ROBINSON SECONDARY SCHOOL**

**Team Mission Possible at Robinson Secondary School;** commending.

Patron—Filler-Corn .....	HR	700		1223
--------------------------	----	-----	--	------

**THE LAWSON COMPANIES**

**The Lawson Companies;** commemorating its 50th anniversary. (Patron—Knight) ....

HR	790		1267
----	-----	--	------

**THE LINKS, INC., HAMPTON CHAPTER OF**

**The Links, Inc., Hampton Chapter of;** commemorating its 70th anniversary.

Patron—Locke .....	SR	618		1287
--------------------	----	-----	--	------

**TIMMONS, LINDA S.**

**Timmons, Linda S.;** recording sorrow upon death. (Patron—Freitas) .....

HR	675		1211
----	-----	--	------

**TOMPKINS, JOSEPH BUFORD, JR.**

**Tompkins, Joseph Buford, Jr.;** recording sorrow upon death.

Patron—Krizek .....	HR	777		1262
Patron—Ebbin .....	SR	624		1289

**TOP LADIES OF DISTINCTION, INC., DALE CITY-PRINCE WILLIAM COUNTY CHAPTER**

**Top Ladies of Distinction, Inc., Dale City-Prince William County Chapter and Minnieville Elementary School;** commending. (Patron—McPike) .....

SR	636		1296
----	-----	--	------

**TREES**

**Beneficial hardwood management practices;** creates a nonrefundable income tax credit for taxable years beginning on or after January 1, 2022, but before January 1, 2025, total amount of tax credits available for a taxable year shall not exceed \$1 million, etc. (Patron—Adams, L.R.) .....

HB	1319	18	1160
----	------	----	------

**TURNER, BREANA**

**Turner, Breana;** commending. (Patron—Subramanyam) .....

HR	738		1242
----	-----	--	------

**TURNER, EVELYN STEARNS**

**Turner, Evelyn Stearns;** commending. (Patron—Carr) .....

HR	752		1249
----	-----	--	------

**UNCODIFIED LEGISLATION**

**Budget bill;** additional appropriations for 2020-2022 biennium. (Patron—Knight) ....

HB	29	1	1
----	----	---	---

**Budget bill;** appropriations for 2022-2024 biennium. (Patron—Knight) .....

HB	30	2	447
----	----	---	-----

**Correctional facilities, local and regional;** State Board of Local and Regional Jails to review and make recommendations regarding reduction or elimination of costs and fees charged to inmates, report. (Patron—Shin) .....

HB	1053	13	1152
----	------	----	------

**Income tax, state;** refunds for individuals or married persons filing a joint return before November 1, 2022. (Patron—Hanger) .....

SB	579	22	1167
----	-----	----	------

**Over-the-counter medications and medical supplies;** Department of Medical Assistance Services to study plan for a process to allow direct purchase, the plan shall include provisions to prevent fraud and misuse of funds made available.

Patron—Scott, P.A. ....	HB	1046	12	1152
-------------------------	----	------	----	------

**UNITED WAY OF ROANOKE VALLEY**

**United Way of Roanoke Valley;** commending. (Patron—Rasoul) .....

HR	620		1181
----	-----	--	------

**UNIVERSITY OF VIRGINIA**

**University of Virginia men's tennis team;** commending. (Patron—Deeds) .....

SR	644		1300
----	-----	--	------

**University of Virginia women's swimming and diving team;** commending.

Patron—Deeds .....	SR	645		1300
--------------------	----	-----	--	------



	BILL OR CHAP. RES. NO.	PAGE NO.	PAGE NO.
<b>UVA HEALTH</b>			
<b>UVA Health</b> ; commending. (Patron—McPike) . . . . .	SR	634	1295
<b>VALLEY HEALTH</b>			
<b>Valley Health</b> ; commending. (Patron—Gooditis) . . . . .	HR	653	1199
<b>VARINA HIGH SCHOOL</b>			
<b>Varina High School boys' basketball team</b> ; commending. (Patron—McQuinn) . . . . .	HR	773	1259
<b>VASKO, ETHAN</b>			
<b>Vasko, Ethan</b> ; commending. (Patron—Hayes) . . . . .	HR	640	1192
<b>VIRGINIA HOUSE OF DELEGATES</b>			
<b>House of Delegates</b> ; salaries, contingent and incidental expenses, per diem payment during Special Session I. (Patron—Knight) . . . . .	HR	601	1170
<b>VIRGINIA PEANUT FESTIVAL</b>			
<b>Virginia Peanut Festival</b> ; commemorating its 60th anniversary.			
Patron—Wachsmann . . . . .	HR	684	1215
Patron—Lucas . . . . .	SR	665	1311
<b>VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY</b>			
<b>Virginia Polytechnic Institute and State University men's basketball team</b> ; commending. (Patron—Edwards) . . . . .	SR	623	1289
<b>WASHINGTON AND LEE HIGH SCHOOL</b>			
<b>Washington and Lee High School boys' basketball team</b> ; commending.			
Patron—Ransone . . . . .	HR	632	1188
<b>WASHINGTON AREA BICYCLIST ASSOCIATION</b>			
<b>Washington Area Bicyclist Association</b> ; commemorating its 50th anniversary.			
Patron—Kory . . . . .	HR	794	1269
<b>WATSON, DORIS BRUNETTE HARRIS</b>			
<b>Watson, Doris Brunette Harris</b> ; recording sorrow upon death. (Patron—Price) . . . . .	HR	726	1236
<b>WELFARE (SOCIAL SERVICES)</b>			
<b>Foster care</b> ; Department of Social Services to establish and implement a collaborative local board placement program. (Patron—Wampler) . . . . .	HB	653	10 1146
<b>Foster care</b> ; local departments shall provide housing support for a period of no more than six months to any person who is 18 years of age or older but less than 21 years of age, etc. (Patron—Tata) . . . . .	HB	349	7 1144
<b>WEST SPRINGFIELD LITTLE LEAGUE</b>			
<b>West Springfield Little League</b> ; commemorating its 50th anniversary.			
Patron—Tran . . . . .	HR	761	1254
<b>WESTMORELAND VOLUNTEER FIRE DEPARTMENT AUXILIARY</b>			
<b>Westmoreland Volunteer Fire Department Auxiliary</b> ; commemorating its 50th anniversary. (Patron—Ransone) . . . . .	HR	671	1209
<b>WILLIAMS, DAVID V.</b>			
<b>Williams, David V.</b> ; commending. (Patron—Williams) . . . . .	HR	757	1252
<b>WILLOUGHBY, KATHLEEN</b>			
<b>Willoughby, Kathleen</b> ; commending. (Patron—Guzman) . . . . .	HR	672	1209
<b>WRIGHT, KELVIN L.</b>			
<b>Wright, Kelvin L.</b> ; commending. (Patron—Spruill) . . . . .	SR	676	1315
<b>YOHANNES, LUANA</b>			
<b>Yohannes, Luana</b> ; commending. (Patron—Tran) . . . . .	HR	713	1229
<b>ZARNEGAR, ZOE</b>			
<b>Zarnegar, Zoe</b> ; commending. (Patron—Delaney) . . . . .	HR	686	1217
<b>ZETA PHI BETA SORORITY, INC., RHO ALPHA CHAPTER OF</b>			
<b>Zeta Phi Beta Sorority, Inc., Rho Alpha Chapter of</b> ; commemorating its 75th anniversary. (Patron—Locke) . . . . .	SR	620	1288